

USM-285 is a 5-part form. Fill out the form and print 5 copies. Sign as needed and route as specified below.

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF <i>CYRUS ANDREW SULLIVAN</i>	COURT CASE NUMBER <i>3:16-CV-01743-AC</i>
DEFENDANT <i>SCOTT ALLEN BREITENSTEIN</i>	TYPE OF PROCESS <i>SUMMONS AND Complaint</i>
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN <i>SCOTT ALLEN BREITENSTEIN</i>	
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) <i>29 Bidleman St. DAYTON, OH 45410</i>	
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	
SERVE AT <i>CYRUS SULLIVAN</i> <i>P.O. BOX 86653</i> <i>PORTLAND, OR 97286</i>	Number of process to be served with this Form 285 <i>1</i>
	Number of parties to be served in this case <i>1</i>
	Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Signature of Attorney other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

(503) 232-3080

DATE

6-8-17

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process <i>1</i>	District of Origin No. <i>665</i>	District to Serve No. <i>B61</i>	Signature of Authorized USMS Deputy or Clerk <i>Debra L Boyd</i>	Date <i>6/13/17</i>
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the individual, company, corporation, etc. shown at the address inserted below.☒ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

Address (complete only different than shown above)

Also attempt at: 22 W Munna Doesn't live there
 Date _____ Time _____ ☐ am ☐ pm

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges including endeavors	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)
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 REMARKS: *SEE my note in JDIS - personally serve, TNX*
 ① attempt on 6/21/17 - No one home
 ② attempt on 6/23/17 - Refused service; said he didn't live there
 ③ attempt on 6/29/17 - Refused drive again; tried another address
PORTLAND, OREGON
Doesn't live there.
72 844 0000

PRINT 5 COPIES

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

 RECEIVED
 Form USM-285
 Rev. 12/15/80
 Automated 01/00

FILED JUL 17 17 06 USDC-ORF

 RECEIVED
 U.S. MARSHAL
 SOUTHERN DIST. OF OHIO
 JUN 20 PM 4:00

 Kea Puda
 (30066)

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

District of Oregon

Cyrus Andrew Sullivan

Plaintiff(s)

v.

Scott Allen Breitenstein

Defendant(s)

Civil Action No. 3:16-CV-01743-AC

SUMMONS IN A CIVIL ACTION

Amended

To: *(Defendant's name and address)*Scott Allen Breitenstein
29 Bidleman St.
Dayton, OH 45410

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Cyrus Andrew Sullivan
P.O. Box 86653
Portland, OR 97286

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



Mary L. Moran, Clerk of Court

CLERK OF COURT

Date: _____

6/13/2017

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 3:16-CV-01743-AC

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

(Select the Division in which the complaint is filed.)

CYRUS ANDREW SULLIVAN

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

SCOTT ALLEN BREITENSTEIN

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Complaint for a Civil Case

Case No. 3:16-cv-01743-AC
(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Cyrus Andrew Sullivan
Street Address	P.O. Box 86653
City and County	Portland, Multnomah
State and Zip Code	Oregon, 97286
Telephone Number	503-232-3080
E-mail Address	N/A

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	SCOTT ALLEN BREITENSTEIN
Job or Title (if known)	Owner
Street Address	29 Bidleman St.
City and County	Dayton
State and Zip Code	Ohio, 45410
Telephone Number	(937)660-7343
E-mail Address (if known)	

Defendant No. 2

Name	
Job or Title (if known)	
Street Address	
City and County	

State and Zip Code _____

Telephone Number _____

E-mail Address
(if known) _____

Defendant No. 3

Name _____

Job or Title
(if known) _____

Street Address _____

City and County _____

State and Zip Code _____

Telephone Number _____

E-mail Address
(if known) _____

Defendant No. 4

Name _____

Job or Title
(if known) _____

Street Address _____

City and County _____

State and Zip Code _____

Telephone Number _____

E-mail Address
(if known) _____**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

☒ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

15 U.S.C. 1125

17 U.S.C. 501

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (*name*) Cyrus Andrew Sullivan, is a citizen of the State of (*name*) Oregon.

b. If the plaintiff is a corporation

The plaintiff, (*name*) _____, is incorporated under the laws of the State of (*name*) _____, and has its principal place of business in the State of (*name*) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (*name*) Scott Allen Breitenstein, is a citizen of the State of (*name*) Ohio. Or is a citizen of (*foreign nation*) _____.

b. If the defendant is a corporation

The defendant, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____. Or is incorporated under the laws of *(foreign nation)* _____, and has its principal place of business in *(name)* _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

Statutory damages alone could be as much as \$6,900,000 or more once I discover the true number of violations. The figure includes \$300,000 for trademark infringement alone.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Scott Allen Breitenstein stole my idea and my work with it. His STDRegistry.com, STDRegistry.org, and STDCarriersDatabase.com are ripoffs of my original site STDCarriers.com. Breitenstein uses identical and confusingly similar marks. He also copied at least 43 articles I wrote for my site word for word and created a derivative work of 1 image.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I am seeking 100% of Mr. Breitenstein's profits or maximum statutory damages of \$6,900,000, whichever is higher. I also request that Mr. Breitenstein be forced to transfer the offending domain names to me, transfer all data collected using my marks to me, and that he cease all infringing activities.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 5/31, 2016.

Signature of Plaintiff

Printed Name of Plaintiff


Cyrus Andrew Sullivan

B. For Attorneys

Date of signing: _____, 20____.

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Address _____

Telephone Number _____

E-mail Address _____

Cyrus Sullivan
P.O. Box 86653
Portland, OR 97286

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

CYRUS ANDREW SULLIVAN

v

SCOTT ALLEN BREITENSTEIN

**COMPLAINT: TRADEMARK INFRINGEMENT
AND COPYRIGHT INFRINGEMENT**

I the Plaintiff, Cyrus Andrew Sullivan, pro se, hereby submits this complaint against Scott Allen Breitenstein of Dayton, Ohio for trademark infringement under Title 15, United States Code, Section 1125 and copyright infringement under Title 17, United States Code, Section 501. This complaint does not include all of the evidence in this case known to me at this time, but it does contain far more than enough to prove that Mr. Breitenstein has engaged in multiple acts of trademark and copyright infringement against me. I will do my best to conform my pleadings with the rules of This Court, but if I do not remember "where no trained advocate is present — and this situation generally arises...the court itself undertakes to assure the litigant that no meritorious case be lost because of a lack of legal skill. Briefs are scanned with unjaundiced eyes and technical compliance with the Rules of the Court is not stringently enforced. The dominant theme is liberality." Hoffman v. United States, 244 F.2d 378 (9th Cir. 1957).

JURISDICTION

This Court has jurisdiction under Title 28, United States Code, Section 1331 and Title 28, United States Code, Section 1332. Trademark infringement under 15 U.S.C. 1125 and copyright infringement under 17 U.S.C. 501 are both federal questions under 28 U.S.C. 1331. Mr. Breitenstein resides in Ohio and I reside in Oregon, so diversity of citizenship under 28 U.S.C. 1332(a)(1) applies.

SUMMARY OF ARGUMENTS

Since 2008 I've operated an online business using several domain names including STDCarriers.com and STDReporting.com. Those sites and related accounts were used to form a branch of my business known as "STD Carriers Disease Control and Prevention Services." It was commonly known in the market as "STD Registry", "STD Carrier Database", and like terms. Mr. Breitenstein has recently launched several websites using domain names and content that are identical or confusingly similar to my marks. Those sites also include a large amount of original literary work that Mr. Breitenstein is using without my permission. I am entitled to relief.

SUMMARY OF EVIDENCE

The evidence in this case includes 134 exhibits grouped together into 4 sections. I tried to organize most sections chronologically and succeeded for the most part, but not entirely. Each section has its own cover sheet with its section number, a brief description of its content, and a memorable quote from the section.

Section 1 includes domain history and registrant information linking the offending domains to Mr. Breitenstein. It includes excerpts of a DomainTools.com Domain Report, Whois records, screenshots, DNS trace results, and an article from Fusion.net about a documentary film in which Mr. Breitenstein admitted owning one of the offending domains.

Section 2 includes screenshots of infringing marks and articles from Mr. Breitenstein's websites. They include many literary works that are either identical or confusingly similar to copy that I originally wrote for my website.

Section 3 includes prints of original marks and articles from my website, promotional material, and related sites that link back to the original. It also includes news stories that clearly establish my original sites, STDCarriers.com, as the original STD Carrier Database. Those marks are still in use today on social media and goods featuring them can still be purchased.

Section 4 features news reports, legal documents, and personal correspondence proving that I intend to resume site operations in the near future. Section 4 exists as a pre-emptive rebuttal just in case Mr. Breitenstein attempts to present a trademark abandonment defense. Documents not previously filed with This Court are provided in full. Relevant parts of Documents already on file with This Court are provided with references to their E.C.F. numbers in case number 3:13-CR-00064-HZ for Mr. Breitenstein's convenience.

FACTUAL BACKGROUND

In 2008 I launched a website called STDCarriers.com featuring the first STD Carrier Database. It allowed users to publish accusations that people have sexually transmitted

diseases (STDs). It received national media attention including a local story that CNN picked up during its first month. Coverage dating back to 2008 featuring me as the owner can still be found online (Exhibit 67).

In 2010 Mr. Breitenstein added a category called "STD Carriers" to the cheaters section of his ScamBoard.com website (Exhibit 13). I did not notice it until recently because it obviously never did well at competing with my brand on search engines. Had Mr. Breitenstein ended there I would not be suing him because I don't see how a reasonable consumer could mistake his STD Carriers category for my work. However, I would still prefer that he choose a different name for that category.

In the summer of 2010 I completed a media research project profiling 100 people charged with HIV exposure and transmission crimes. The study gained some media attention much to the disgust of one blogger (Exhibit 80).

On March 10, 2011 someone posted a complaint about a gay porn star named Mason Wyler on ScamBoard.com (Exhibit 18). I didn't notice it at the time, but the body of the complaint is an exact copy of the report I wrote on STD Carriers as part of an ongoing media research project on celebrities with STDs (Exhibit 75). Snippets of that work can still be found on Facebook (Exhibit 76).

In the fall of 2011 I began receiving complaints from a Portland woman named Amanda Machina Falke about a STD report. I tried to help her, but the author wouldn't verify his identity, so I couldn't honor his takedown request. To motivate him I published his vulgar emails that accused Multnomah County Deputy District Attorney Kevin Demer of having a sexual

relationship with Mrs. Falke and sarcastically titled the piece something like "Alleged STD Report Author Accuses DA of Corruption." I figured he would stop jerking me around to get rid of the article, but I was wrong. Court documents later proved that around this time Mr. Demer, Mrs. Falke, and ODOJ Chief Investigator Geoff Darling began conspiring to bring my sites down by any means available.

In February of 2012 I announced that STDCarriers.com had received a "super fabulous makeover" for "Valentine's Day" (Exhibit 70). That announcement led to a story by the Village Voice (Exhibit 71) and one by Gawker's women's issues site Jezebel referring to my site as "STD Registry" (Exhibit 72).

On March 9, 2012 I attended a taping for a segment of Anderson Cooper's daytime talk show Anderson because Mr. Cooper was doing a segment about STD Carriers. The next day Mrs. Falke called 911 and claimed that I was holding her hostage in my home with a gun and a brief standoff with police followed. In coming weeks Mrs. Falke started posting names of my family members online with their contact information and lies about me. She also started sending me the threatening emails described by The Oregonian (Exhibit 111).

In April 2012 I launched STDReporting.com and got a little bit of media attention after sarcastically dedicating it to Anderson Cooper (Exhibits 73 & 74). The site searched a mix of complaint sites and social networks for people admitting to having or accusing another of having a STD. Within a couple months it had more reports than STDCarriers.com and I could easily back up my claim that if Mr. Cooper wants to single people out for facilitating the posting of false accusations then Mark Zuckerberg should be one of those people.

On April 15, 2012 Andrew Reburry of HugeDomains.com registered STDRegistry.com (Exhibit 1 p. 14). Reburry's business model seems to be one of registering domain names that might be of use to established similarly named websites or their would be competitors before flipping them at a huge markup (Exhibit 10). Reburry kept the domain named parked for the next few years.

In early May 2012 I did an identical makeover promotion for IllegalAlienReport.com by announcing that it received a "patriotic makeover" for Cinco de Mayo. In response Congressman Joseph Crowley announced on MSNBC and Twitter that he would be writing the Justice Department with a request that I be investigated for any violations of federal law.

On June 4, 2012 I sent Mrs. Falke a threatening email after I discovered proof of her crimes against me. I was subsequently arrested on state charges filed by Mr. Demer and held on \$1,000,000 bail due to a special court order Mr. Demer obtained that also banned me from the phone. My arrest was a top story on some news stations and a copy of the coverage can still be found on the website of one of Mr. Breitenstein's reputation management partners (Exhibit 95).

On or about June 15, 2012 a complaint was filed against me in This Court and a no bail U.S. Marshal hold was put on me.

In late June, 2012 STDCarriers.com went down due to non-payment to the hosting company. I have tried all I legally can to get the site back up since then.

Around January 2013 STDReporting.com went down due to a hard disk failure. There was nothing I could do about that.

On July 18, 2013 I was sentenced to 24 months in federal prison for making threatening communications in violation of Title 18, United States Code, Section 875(c). Judge Marco Hernandez also ordered that I serve a 36 month term of supervised release during which I would not be allowed to use a computer without prior written permission from a probation officer. Hernandez made it clear that the computer restrictions were meant to prevent me from gaining access to the tools I need to run my business and engage in other First Amendment protected activities. Despite the restrictions I vowed to run my websites until the day I die (Exhibit 111).

On July 29, 2013 I appealed the conditions of release to the Ninth Circuit Court of Appeals ("9th Circuit") as overly broad violations of the First Amendment that create a greater deprivation of liberty than is reasonably necessary for the purposes of supervised release. Some months later Bronson James filed a brief on my behalf (Exhibit 115).

On April 21, 2014 I was arrested on state charges of misdemeanor assault at a halfway house where I was serving the last 6 months of my sentence for violating 18 U.S.C. 875(c). I was subsequently sentenced to a consecutive 24 month by This Court for assaulting a federal employee in violation of Title 18, United States Code, Section 111(a)(b) in case number 3:14-CR-00190-HZ (Exhibit 117).

On August 26, 2014 someone registered STDRegistry.org (Exhibit 5). Breitenstein currently uses it as a link farm for STDRegistry.com.

In December 2014 the 9th Circuit denied my appeal, see *United States v. Sullivan*, 588 F.Appx 631 (9th Cir. 2014). The denial was largely procedural due to my waiver of appeal that prevented them from reviewing it for abuse of discretion and that conditions such as mine were legal in some cases.

On or about March 16, 2015 Mr. James petitioned the Supreme Court of the United States ("SCOTUS") for certiorari on my behalf. We hoped that SCOTUS would use my case to settle a circuit split my favor. That split resulted in conditions such as mine being legal in some parts of the country and illegal in others. The petition was denied on April 20, 2015.

On or about June 16, 2015 I filed a motion in This Court to vacate my conviction and sentence on the grounds of ineffective assistance of counsel under Title 28, United States Code, Section 2255.

On or about July 24, 2015 Mr. Breitenstein took STDRegistry.com live. The WhoIs record for that date (Exhibit 1 p. 11) is the first record in which the name servers are pointed to a server capable of hosting a live site instead of a parked domain. The previous record from June 9, 2015 (Exhibit 1 p. 13) still pointed to HugeDomains.com, so Mr. Breitenstein probably bought it for around \$2,095 judging by the last parked screenshot (Exhibit 3).

On September 16, 2015 DomainTools.com recorded the first screenshot of a live site at STDRegistry.com (Exhibit 4). The screenshot shows the latest posts on the home page with a text box watermark that said "Search STD Carrier" and an on site link that said "Report STD Carrier."

On October 31, 2015 Mr. Breitenstein must not have been trick or treating because STDCarriersDatabase.com was registered (Exhibit 6). That site now displays the latest reports from STDRegistry.com just like STDRegistry.org and both look like the first screenshot of STDRegistry.com (Exhibit 4).

On January 6, 2016 This Court denied my 2255 and issued a Certificate of Appealability ("COA") so that the 9th Circuit can determine if my lawyer was ineffective for failing to inform me that the charging instrument was defective and recommending that I plead guilty to an information that failed to charge an offense (Exhibit 128[E.C.F. 92]). Several post judgment motions followed including Exhibits 129 and 130 were filed. Then I appealed.

On or about January 12, 2016 the Fusion Network aired a documentary in which a woman accused Mr. Breitenstein of being a "dangerous sexual predator" (Exhibit 11 p. 13). In the video Mr. Breitenstein admitted to owning STDRegistry.com (Exhibit 11 p. 14) and several sites I recognized from the Domain Report (Exhibit 1 p. 19-20) including ReportMyEx.com, Cheatersrus.com, and ScamFound.com (Exhibit 11 p. 4).

On April 20, 2016 DomainTools.com recorded a screenshot of the current STDRegistry.com home page containing what appears to be new infringing marks that I will discuss later (Exhibit 14).

On May 9, 2016 I was released from the United States Penitentiary in Victorville, California ("USP Victorville").

On May 12, 2016 the 9th Circuit struck down computer restrictions identical to mine in *United States v. LaCoste*, 811 F.3d 1187 (9th Cir. 2016). At the time of the decision I was not aware of it and did not become aware of it until much later.

On June 2, 2016 I met with my probation officer, Matthew Preuitt, and requested permission to resume site operations. He denied my request as well as requests to use computers to look for work, write a book, and do case law research for my appeal because I was still pro se at the time. Fortunately Mr. Preuitt did approve of other people typing legal documents for me.

On or about June 9, 2016 I filed a pro se motion to modify my conditions of release (Exhibit 131[E.C.F. 108]) and a second motion to appoint counsel. A few weeks later I met with Reuben Iniguez and Lisa Hay at the Federal Public Defender's office and was informed that Ms. Hay would represent me on appeal (9th Circuit ordered counsel be appointed on July 7, 2016, case number 16-35270) and Mr. Iniguez would represent me in This Court regarding my release conditions. I left the meeting relieved that I would not have to do any more pro se filings.

On July 25, 2016 Mr. Iniguez met with Assistant United States Attorney Jonathan Haub. Following the meeting I was informed that Mr. Haub had agreed that my release conditions could no longer survive judicial scrutiny due to *LaCoste*. Unfortunately Mr. Haub subsequently filed a motion of his own seeking new employment restrictions specifically tailored to prohibit me from running my websites (Exhibits 132[E.C.F. 114] and 133[E.C.F. 133]).

On July 27, 2016 I was speaking with Mr. Iniguez on the phone and he started doing Google searches for my brand hoping to find other people offering similar services because that

could help with my defense. He mentioned STDCarriersDatabase.com and my first thought was that someone probably started a gripe site about me, but then I heard about STDRegistry.com and was flattered to hear that someone had copied my work. Then I was told how it called itself "STD Carriers Registry" and I became more curious as my sense of flattery subsided. Eventually I was shown screenshots of the home page (Exhibit 14), removal policy (Exhibit 15), and terms of use (Exhibit 16). I immediately recognized that someone had copied my work with the exception of the inferior removal policy.

On or about August 7, 2016 I was shown screenshots of early reports from STDRegistry.com and recognized many as my original work created for my website. At that point I became angry because Mr. Breitenstein had obviously copied my work before I was even arrested and intended to compete with me using my own work whether or not I went to prison. Now when people search for my work they see this cheap imitator.

Today I am anxiously awaiting word on my appeal and my motion in This Court contesting release conditions. This Court took the issue under advisement on August 10, 2016 and because the proposed changes favor me a hearing is required.

ARGUMENTS

I have grouped my arguments by statue beginning with trademark infringement followed by dilution and tarnishment, domain squatting, copyright infringement, and proof that I intend to resume site operations.

Trademark Infringement

15 U.S.C. 1125(a)(1) states “Any person who, on or in connection with any goods or services...uses in commerce any word, term, name, symbol, or device, or any combination there of, or any false designation of origin, false or misleading description of fact, or false or misleading representation of fact, which — (A) is likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of such person with another person, or as to the origin, sponsorship, or approval of his or her goods, services, or commercial activities by another person...shall be liable in a civil action by any person who believes that he or she is likely to be damaged by such an act.”

Starting with the STDRegistry.com home page (Exhibit 14) the name of the service “STD Registry Disease Control and Prevention Services” is an exact copy of the name of my website with the word “Carriers” from “STD Carriers Disease Control and Prevention Services” replaced with “Registry.” Also stolen from my home page (Exhibit 62) is the description of the service.

Mine reads as follows:

“STD Carriers was founded as and still is the first public early warning alert system for identifying potential sources of incurable sexually transmitted diseases (STDs). International STD Registry People Finder Search Engine is a database driven list of people with HIV/AIDS, Genital Herpes, HPV, Genital Warts, and Hepatitis C. Our automated content management system (CMS) utilizes the power of modern information technology to provide a real time information storage and distribution service that is fully operational 24 hours a day 7 days a week.”

Mr. Breitenstein simply replaced “STD Carriers” with “STDRegistry” and “International STD Registry People Finder Search Engine” with “The International Sexually Transmitted Disease (STD) Registry” so that his description reads:

“STDRegistry was founded as and still is the first public early warning alert system for identifying potential sources of incurable sexually transmitted diseases (STDs). The International Sexually Transmitted Disease (STD) Registry is a database driven list of people with HIV/AIDS, Genital Herpes, Genital Warts, and Hepatitis C. Our automated content management system (CMS) utilizes the power of modern information technology to provide a real time information storage and distribution service that is fully operational 24 hours a day 7 days a week.”

I do not feel the need to waste This Court's time explaining just how similar that is. I will point out that as creator of the “first public early warning alert system” I feel that when Mr. Breitenstein claims to be “The Original and World's Largest STD Registry Database” he is essentially claiming to be me because I am the person originally credited by the media with creating the original (Exhibits 67, 71, 72, 73, 74). Now people find stories showing Mr. Breitenstein as the STD Registry guy (Exhibit 11), but he is not me. He is an imposter.

Mr. Breitenstein calls his STD Registry “STD Carriers Registry” using my unique domain name exactly and the “Report STD Carrier” navigation link sounds a lot like my “Report a STD Carrier” navigation link. The logo features a biohazard symbol on top of a shield kind of like mine (Exhibit 71), but not as good.

Finally, the Terms of Use (“TOU”) (Exhibit 16) is an almost word for word copy of my TOU (Exhibit 64) except for the word “Registry” replacing the word “Carriers.” He even includes my server's jurisdiction, The Kingdom of the Netherlands, even though his server is in Nevada (Exhibit 9). That can mislead consumers into thinking that his service is of the same origin as mine. Ironically, the only part of my TOU he did not copy is the part about how to send the website notices of copyright infringement (Exhibit 64 p. 2-3). I'll detail Mr. Breitenstein's colossal copyright infringement effort later. I'm mentioning it here as the icing on the similarity cake in this

case. A cake so similar that when I first tasted it I called my probation officer to make sure he knew that I didn't bake it because if he found out the wrong way, I feared, he would arrest me for violating the conditions of my release.

Dilution by Blurring and Tarnishment

15 U.S.C. 1125(c)(1) states "Subject to the principles of equity, the owner of a famous mark that is distinctive, inherently or through acquired distinctiveness, shall be entitled to an injunction against another person who, at any time after the owner's mark has become famous, commences use of a mark or trade name in commerce that is likely to cause dilution by blurring or dilution by tarnishment of the famous mark, regardless of the presence or absence of actual or likely confusion, of competition, or of actual economic injury."

My service was never a household name, but it did get a lot of publicity from news organizations all over the country (Exhibits 67, 71, 72, 73, 74, 111). If it were not for such publicity HugeDomains.com (Exhibit 10) probably wouldn't have considered STDRegistry.com worth squatting on in the first place. My services were international and the goods available for sale are as well (Exhibit 66).

15 U.S.C. 1125(c)(2)(B) defines "dilution by blurring" as "association arising from the similarity between a famous mark or trade name and a famous mark that impairs the distinctiveness of the famous mark. In determining whether a mark or trade name is likely to cause dilution by blurring, the court may consider all relevant factors, including the following: (i) The degree of similarity between the mark or trade name and the famous mark." Like I said before the marks are so similar that I don't feel the need to waste This Court's time explaining

the similarities further. "(ii) The degree of inherent or acquired distinctiveness of the famous mark. (iii) The extent to which the owner of the famous mark is engaging in substantially exclusive use of the mark." The marks were one of I kind and I was the only person using them when I was arrested. "(iv) The degree of recognition of the famous mark." Celebrities recognized it. "(v) Whether the user of the mark or trade name intended to create an association with the famous mark." Obviously Mr. Breitenstein did. "(vi) Any actual association between the mark or trade name and the famous mark." Mr. Breitenstein didn't need to be associated with me to copy my work.

The entire time I was in prison I fantasized about turning my sites back on upon my release and sending out a press release titled "STD Registry Creator Out of Prison and Fighting Back." I can't do that now because people will wonder what site I am talking about, so if I do send a release like that I will have to replace "STD Registry" with "STDCarriers.com" because the domain name is the only distinguishing mark between the two sites.

15 U.S.C. 1125(c)(2)(B) defines "dilution by tarnishment" as "association arising from the similarity between a mark or trade name and a famous mark that harms the reputation of the famous mark." The inferior quality of services offered by Mr. Breitenstein and Mr. Breitenstein's reputation can only tarnish me.

Mr. Breitenstein's removal policy (Exhibit 15) is grossly inferior to mine (Exhibit 63). Mr. Breitenstein says that after taking up the issue of a false report with the submitter that the submitter must send a removal request, verify their identity, and wait "6 months to 12 months or more" for a review or pay a third party "mediation" service to remove the post. At least I had a P.O. box where people could send proof that a posting was not true and I would usually remove

limited to — (I) the trademark or other intellectual property rights of the person, if any, in the domain name; (II) the extent to which the domain name consists of the legal name of the person or a name that is commonly used to identify that person; (III) the person's prior use, if any, of the domain name in connection with the bona fide offering of any goods or services...(V) the person's intent to divert consumers from the mark owner's online location to a site accessible under the domain name that could harm the goodwill represented by the mark, either for commercial gain or with intent to tarnish or disparage the mark, by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the site...(VIII) the person's prior registration or acquisition of multiple domain names which the person knows are identical or confusingly similar to marks of others that are distinctive at the time of registration of such domain names, or dilutive of famous marks of others that are famous at the time of registration of such domain names, without regard to the goods or services of the parties; and (IX) the extent to which the mark incorporated in the person's domain name registration is or is not distinctive and famous within the meaning of subsection (c)."

I find 15 U.S.C. 1125(d)(1)(B)(i)(V), (VIII), and (IX) especially relevant to this case. STD Registry was a distinctive mark that I created and I was the only person known to be doing business under before Mr. Breitenstein came along. The Domain Report makes it obvious that Mr. Breitenstein has done this to other people (Exhibit 1 p. 19-20). For instance I included Exhibit 100 because I thought it was ironic that a complaint about one of Mr. Breitenstein's sites showed up in my discovery, but I have since realized that the site in my discovery is LiarsCheatersrus.com and Breitenstein owns LiarCheatersrus.com, a confusingly similar domain.

Bad faith can further be established by the massive amount of copyright infringement that Mr. Breitenstein has engaged in. It is the most copyright infringement I've seen since my college movie collection.

Copyright Infringement

Mr. Breitenstein has engaged in at least 43 acts of copyright infringement in violation of my rights under 17 U.S.C. 106(1) for literary works and at least 1 act of image copyright infringement under 17 U.S.C. 106(2). Both statutes are referenced by the relevant part of 17 U.S.C. 501(a) "Anyone who violates any of the exclusive rights of the copyright owner as provided by sections 106 through 122...is an infringer on the copyright or right of the author, as the case may be."

Of the 43 infringing articles I know of I can provide proof of authorship for 21 of them. I will be able to provide proof of the others once my sites are back up or I at least have the ability to access their backups.

The following matched pairs of exhibits are originally from my research about celebrities with STDs (Exhibit 75); Exhibits 18 & 76 (p. 1), 19 & 76 (p. 1), 31 & 77 (p.1), 61 & 76 (p. 3), and there is one profile on STDRegistry.com of Anne Heche that ripped off Exhibit 79 that has no permalink, so I have no screenshot of that one; The Facebook pages containing snippets of the original work (Exhibits 76, 77, 79) I created to increase the search engine visibility of my site.

The remaining matched pairs are mostly from a study I did on criminal HIV transmission (Exhibit 80); Exhibits 37 & 81, 38 & 81, 39 & 82, 40 & 83, 42 & 84, 43 & 85, 44 & 86, 45 & 87, 46

& 88, 47 & 89, 49 & 90, 50 & 91, 51 & 92, 52 & 93, and 53 & 94. Exhibit 20 is actually the first person I put on STDCarriers.com for which I included the futon story. Exhibit 25 matches the name of a man whose lawyer sent me a complaint in 2012 (Exhibit 78). From what I've seen it wouldn't surprise me if all or most of the remaining first 200 reports on STDRegistry.com not written by me were written by my users.

Section 19 of the STDRegistry.com TOU (Exhibit 16 p. 7-8) is a word for word copy of Section 20 of my TOU (Exhibit 64 p. 9-10). Exhibit 64 was originally filed with This Court as defense exhibit 1 in E.C.F. 51 from case number 3:13-CR-00064-HZ.

Finally, the image displayed on STDRegistry.com when no picture is submitted with a report (Exhibit 17) is an unauthorized derivative work under 15 U.S.C. 106(2). The original image was a 3D graphic that designed myself. Mr. Breitenstein has taken my graphic, deleted the word "Carriers", and replaced it with "Registry." This image constitutes a "work of visual art" and is protected by 15 U.S.C. 106A(a)(3)(A) which gives me the right "to prevent any intentional distortion, mutilation, or other modification of that work which would be prejudicial to his or her honor or reputation, and any intentional distortion."

Whenever any copied article or image is displayed to a user of Mr. Breitenstein's site 17 U.S.C. 106(5) applies. The total number of times an infringing article or image has been displayed to Mr. Breitenstein's visitors is unknown to me at this time.

Intent to Resume Site Operations

The only possible argument that Mr. Breitenstein might try to present in defense of such blatant use of my marks would be abandonment of the marks. 15 U.S.C. 1115(2) allows as a defense to trademark infringement "that the mark has been abandoned by the registrant." 15 U.S.C. 1127 says that a mark is considered abandoned "when its use has been discontinued with intent not to resume such use. Intent not to resume may be inferred from circumstances. Nonuse for 3 consecutive years shall be prima facie evidence of abandonment." I can show that my marks are still in use, that special circumstances have temporarily prevented me from resuming site operations, and that I intend to resume site operations.

I have continued to provide informative services under the marks. As recently as October 1, 2015 the Twitter handle for STD Carriers @STDDatabase (Exhibit 65) was still Tweeting out links to the latest STD news. It only stopped for some unknown reason that broke the automated process that stayed running while I was in prison and I intend to fix that. My original posters (Exhibit 66 p. 2-3) and t-shirts (Exhibit 66 p. 4-5) are still available for sale at their PayPal URLs (Exhibit 66 p. 1). I also have several blogging accounts still active (Exhibits 68, 69, 82) and at least two of them (Exhibits 68 & 82) are still running third party advertising scripts that generate revenue. The "Lanham Act required 'complete discontinuance of use' for abandonment." *Burgess v. Gilman*, 475 F. Supp 2d 1051 (D.Nev. 2007) citing *Electro Source v. Brandess-Kalt-Aetna-Group, Inc.*, 458 F.3d at 937-9.

If This Court determines that I have not been using the marks then special circumstances justify any nonuse and Mr. Breitenstein should be aware of those circumstances. Circumstances beyond the mark owner's control resulting in temporary nonuse is excusable;

"[a]bandonment does not result from a temporary forced withdrawal from the market due to causes such as war, prohibition, a labor strike, bankruptcy, import problems, unprofitable sales, being sued for patent infringement, or some other involuntary action." Burgess citing J. Thomas McCarty, 2 McCarty on Trademarks and Unfair Competition 17:16 n.1 (4th ed. 2006). In my case I went to jail (Exhibit 95), was prohibited from serving the market as a condition of release (Exhibit 111), experienced a mutiny by my own people kind of like a labor strike (Exhibit 123 p. 14-20), and picked up a new charge (Exhibit 117). In no case was any essential asset forfeited. Incarceration and supervised release are at most temporary circumstances in my case.

My intent to resume site operations is overwhelmingly clear from the court records in my cases and additional evidence that I am submitting here. That evidence can be found in Section 4 of my Exhibits (Exhibits 96-134).

I have always been and am still fighting for my rights in This Court and the 9th Circuit. Exhibit 102 is part of an initial plea offer that I rejected because it would have required that I forfeit some of my online assets. Exhibit 108 shows that when I did plea, I did so under a circumstance that allowed my attorney the opportunity to oppose computer restrictions at sentencing. Those restrictions were objected to in a letter to the pre-sentence investigation report ("PSR") writer (Exhibit 109) and that objection was noted in the PSR (Exhibit 110). When my lawyer failed to object at the sentencing hearing (Exhibit 123 p. 3-6) I did so myself and The Oregonian reported on it in an article that made it clear that I will revive the website whether the judge likes it or not (Exhibit 111). I promptly appealed (Exhibit 115), picked up additional charges due to my refusal to comply with the restrictions (Exhibit 117), and petitioned SCOTUS when my appeal was dismissed (Exhibit 121). Following the SCOTUS denial (Exhibit 22) I promptly filed a motion to vacate due to ineffective assistance of counsel (Exhibit 123), when that was denied

(Exhibit 128) I filed several post-judgment motions where I clearly was trying to resume site operations (Exhibits 129[E.C.F. 93] and 130[E.C.F. 96], plus E.C.F. 94 and 98). I appealed again (E.C.F. 100 and 9th Cir. No. 16-35270), and once released from USP Victorville I filed a motion in This Court (Exhibit 131 E.C.F. 108) that was followed by motions by the government (Exhibits 132[E.C.F. 114] and 133[E.C.F. 115]) as well as my lawyer (Exhibit 134 E.C.F. 117). Being able to legally resume site operations as soon as possible is the primary reason behind all aforementioned pleadings. The case is still pending and if I lose I will appeal again.

Outside of court I tried to keep my sites up and have been trying to get them back up consistently over the years. I have also made repeated statements of my intentions to others.

Shortly after my arraignment I tried to circumvent my phone restriction through the mail (Exhibits 96 & 97). I fired a lawyer that refused to pass information for me (Exhibit 98). I drove a lawyer to quit after he defied me (Exhibit 123 p. 14-20) in an obvious attempt to reduce his workload (Exhibit 99). Throughout the years someone has been communicating with my hosting company, but has always stopped short of actually paying the bill and turning the sites back on (Exhibits 101, 103-5, 112-4, 116). Despite not being able to keep the sites up my defense team were able to keep their backups intact (Exhibit 99 p. 2). I had domain names renewed through a third party and through a third party's lawyer (Exhibit 107) even after Mr. Demer sent that person threatening emails (Exhibit 106). The entire point of renewing the domains was so that I can use them again. I constantly refused to follow my attorneys recommendations regarding the websites as well as a plea bargain that would have made me an internet stalker. I say "would have made me" because I am not guilty of internet stalking (Exhibit 123 p. 1-2). The basis of the charge (Exhibit 102 p. 3) was for content posted by users of my sites that allegedly caused emotional distress and offering to reduce their distress for a fee, so basically whenever

someone uses my site to inflict emotional distress on someone by posting false information and suddenly I'm a stalker. That is ridiculous, give me a break. What's next? Someone posts a naked picture on Mr. Breitenstein's site and all of a sudden he is a sexual predator?

I do not see how any self respecting person with any dignity could reward such things with their cooperation. I tried to issue press releases from USP Victorville (Exhibits 119-120) so that I could start fighting back online before I got out. I threatened to put an incompetent staff member one of my websites that allows complaints about health care, stated my intention to the disciplinary officer in defense of the threat, and informed the officer that she would be a priority subject for the police complaints section of NoLimitList.com (Exhibit 124). The priority subjects list is a small list derived from a large list that the government falsely labeled a "hit list" (Exhibit 117 p. 2) after violating my Sixth Amendment rights by reading my legal work in my assault case (Exhibit 124). The assault was in response to my probation officer refusing to grant me permission to run my business, work in my field, or use a computer in any practical way. When told to sign a contract agreeing to outrageous computer restrictions (Exhibit 118) or go back to prison, I slapped the person that issued the ultimatum. I continue to defend the attack as permitted under the Declaration of Independence, which states "all men...are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness...whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or abolish it."The "hit list" is really a list of research subjects and the results of that research will be published at <http://nolimitlist.com/rantrave/government/police> where I was starting to expose the government's conduct in the days leading up to my arrest. Finally, after being assaulted by guards, I tried to get someone to honor an insurance policy that required the re-start of my sites if I were physically harmed in prison (Exhibit 126) and followed it with a very litigious notice (Exhibit 127). If I must provide further proof of intent I will.

The only thing that could be more massive than Mr. Breitenstein's infringements in this case would be proof of my intent to resume site operations. By no stretch of the imagination have I abandoned my marks.

RELIEF SOUGHT

I am seeking the maximum amount of relief allowed by law. That includes monetary relief, domain name transfers, data transfers, and the cessation of infringing activities.

Monetary Relief

Pursuant to 15 U.S.C. 1117(a) I am entitled "to recover (1) defendant's profits, (2) any damages sustained by the plaintiff, and (3) the costs of action" or "In a case involving a violation of Section 1125(d)(1)...not more than \$100,000 per domain name" under 15 U.S.C. 1117(d), so I am requesting 100% of Mr. Breitenstein's profits or \$300,000 (3 domain names), whichever is greater, for trademark infringement.

For copyright infringement 17 U.S.C. 504(a)(1) entitles me to "actual damages and any additional profits of the infringer, as provided by subsection (b); or (2) statutory damages, as provided by subsection (c)." 17 U.S.C. 504(b) requires only that I "present proof of the infringer's gross revenue" to determine profits, so I will subpoena Mr. Breitenstein's reputation management partners to come up with an estimate (Exhibit 15 p. 2). 17 U.S.C. 504(c)(1) permits statutory damages of no "more than \$30,000" per act of infringement and 17 U.S.C. 504(c)(2) increases that amount to \$150,000 for willful violators like Mr. Breitenstein and in his

case that would equal about \$6,600,000. I reserve the right to increase this amount once I determine how many times my work has been displayed to web users.

The grand total I seek for all known trademark and copyright infringement at this is \$6,900,000 (\$6,600,000 for copyright infringement and \$300,000 for trademark infringement) or 100% of Mr. Breitenstein's profits, whichever is higher.

Domain Name Transfers

15 U.S.C. 1125(d)(1)(C) states "In any civil action involving the registration, trafficking, or use of a domain name under this paragraph, a court may order the forfeiture or cancellation of the domain name or the transfer of the domain name to the owner of the mark." I request that STDRegistry.com, STDRegistry.org, and STDCarriersDatabase.com be transferred to me.

Data Transfer

Mr. Breitenstein has acquired a large amount of reputation management inventory using my marks and I would like to have that inventory for my reputation management services. Please order Mr. Breitenstein to turn over all data collected from users of STDRegistry.com including all STD reports. I consider all unsold inventory in his possession to be future profits that should be mine.

Cessation of Infringing Activities

15 U.S.C. 1116(a) authorizes injunctive relief to prevent future infringement of trademarks and 17 U.S.C. 502 does the same to prevent future infringement of copyright. I plan to file subsequent motions for injunctions in accordance with local rules. At this time I request that Mr. Breitenstein cease infringing on my trademarks and copyrights.

NOTICE OF INTENT TO AMEND OR SUPPLEMENT

Fed.R.Civ.P. 15 ("Rule 15") provides a number of options for amending or supplementing pleadings. I have no idea when my hearing will take place and until then I can't do my own web research to support my claims, so I will probably miss the 21 day deadline for filing amended pleadings as of right. If that happens I will ask This Court for leave to amend or supplement as Rule 15 allows. This advanced notice should minimize the prejudice, if any, suffered by Mr. Breitenstein as a result of my need to amend or supplement.

Conclusion

Mr. Breitenstein has infringed on several trademarks of mine and mountain of copyrights. I am entitled to relief as the owner of the trademarks and copyrights. I demand a jury trial so that the full depths of Mr. Breitenstein's depravity can be explored.

I declare under penalty of perjury that the foregoing is true and correct. Executed on

Cyrus Sullivan
Plaintiff
Pro Se

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1977, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS CYRUS ANDREW SULLIVAN

DEFENDANTS SCOTT ALLEN BREITENSTEIN

(b) County of Residence of First Listed Plaintiff Multnomah
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Montgomery
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|---------------------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input checked="" type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 U.S.C. 1125, 17 U.S.C. 501, 28 U.S.C. 1331-2
 Brief description of cause:
 Trademark infringement, domain squatting, and copyright infringement

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
\$6,900,000

CHECK YES only if demanded in complaint:
 JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

SECTION 1

Domain History and Registrant Information

“Anybody who provides a home to become the sexual entertainment of others is a dangerous sexual predator” - Annmarie Chairing

[REDACTED]

EXHIBIT

PAGE 1 OF 20

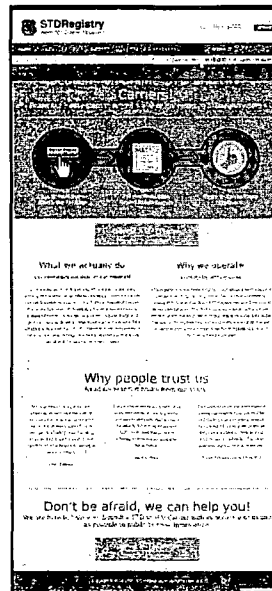


DOMAINTOOLS

Domain Report - StdRegistry.com

Domain Name **StdRegistry.com**

Prepared On **August 7, 2016**



Website Screenshot taken 04/20/2016

EXHIBIT

1

PAGE 2 OF 20

About This Report

This report documents a thorough analysis of the Internet domain name "**StdRegistry.com**". It draws on the extensive DomainTools dataset and aims to deliver a comprehensive view of the domain's ownership profile, key historical events and technically linked domain names.

All data in this Report is, or was, freely available through standard Internet DNS and query protocols. DomainTools has not altered the data in any way from its original form, except in certain instances to format it for readability in this Report.

Data from DomainTools is presented as-is, and as captured from the original source. We make no representations or warranties of fitness of any kind.

About DomainTools

DomainTools offers the most comprehensive searchable database of domain name registration and hosting data. Combined with our other data sites such as DailyChanges.com, Screenshots.com and ReverseMX.com, users of DomainTools.com can review millions of historical domain name records from basic Whois, and DNS information, to homepage images and email settings. The Company's comprehensive snapshots of past and present domain name registration, ownership and usage data, in addition to powerful research and monitoring resources, help customers by unlocking everything there is to know about a domain name. DomainTools is a Top 250 site in the Alexa rankings.

Reach us at memberservices@domaintools.com if you have any questions on this report.

EXHIBIT

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Domain Profile

As of August 7, 2016

Ownership

Registered Owner	United Privacy Corp
Owned Domains	About 30528 other domains
Email Addresses	abuse@namepal.com stdregistry.com@unitedprivacy.com
Registrar	namepal.com, llc

Registration

Created	Apr 15, 2012
Expires	Apr 15, 2026
Updated	Apr 28, 2016
Domain Status	Active
Whois Server	whois.namepal.com
Name Servers	liarsandcheaters.com

Network

Website IP Address	209.141.39.215
IP Location	United States-Nevada-Las Vegas Frantech Solutions
IP ASN	AS3223

Website

Site Title	STD REGISTRY I Report the truth before it's too late!
Meta Description	The Original and World's Largest STD Registry Database. STD Registry Disease Control and Prevention Services. Report the truth before it's too late!
Meta Keywords	std registry std carriers stds disease control disease prevention genital warts hiv aids herpes hpv hepatitis

EXHIBIT

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Current Whois Record

Reported on Aug 7, 2016

Domain Name: STDREGISTRY.COM
Registry Domain ID: 1713688435_DOMAIN_COM-VRSN
Registrar WHOIS Server: whois.namepal.com
Registrar URL: http://namepal.com
Updated Date: 2016-08-07T13:33:34Z
Creation Date: 2012-04-15T00:00:00Z
Registrar Registration Expiration Date: 2026-04-15T00:00:00Z
Registrar: NamePal.com, LLC
Registrar IANA ID: 997
Registrar Abuse Contact Email: abuse@namepal.com
Registrar Abuse Contact Phone: +1.720.921.8850
Domain Status: clientTransferProhibited <https://www.icann.org/epp#clientTransferProhibited>
Registry Registrant ID:
Registrant Name: Domain Administrator
Registrant Organization: United Privacy Corp
Registrant Street: P.O. Box #2
Registrant City: Belize City
Registrant State/Province: Belize
Registrant Postal Code: 00000
Registrant Country: BZ
Registrant Phone: +501.2230114
Registrant Phone Ext:
Registrant Fax:
Registrant Fax Ext:
Registrant Email: stdregistry.com@unitedprivacy.com
Registry Admin ID:
Admin Name: Domain Administrator
Admin Organization: United Privacy Corp
Admin Street: P.O. Box #2
Admin City: Belize City
Admin State/Province: Belize
Admin Postal Code: 00000
Admin Country: BZ
Admin Phone: +501.2230114
Admin Phone Ext:
Admin Fax:
Admin Fax Ext:
Admin Email: stdregistry.com@unitedprivacy.com
Registry Tech ID:
Tech Name: Domain Administrator
Tech Organization: United Privacy Corp
Tech Street: P.O. Box #2
Tech City: Belize City
Tech State/Province: Belize
Tech Postal Code: 00000
Tech Country: BZ
Tech Phone: +501.2230114
Tech Phone Ext:
Tech Fax:
Tech Fax Ext:
Tech Email: stdregistry.com@unitedprivacy.com

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Name Server: NS2.LIARSANDCHEATERS.COM

Name Server: NS1.LIARSANDCHEATERS.COM

DNSSEC: unsigned

URL of the ICANN WHOIS Data Problem Reporting System: <http://wdprs.internic.net/>

For more information on Whois status codes, please visit <https://icann.org/epp>

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Ownership History

Whois History for StdRegistry.com

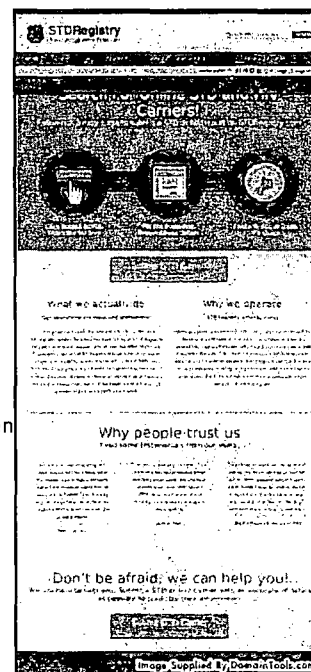
DomainTools has 96 distinct historical ownership records for StdRegistry.com. The oldest record dates Jun 21, 2008. Each record is listed on its own page, starting with the most recent record. The date at the start of the section indicates the first time we captured the record. The website screenshot, when available, will be the image captured as close as possible to the record date.

About Whois History

DomainTools takes periodic snapshots of domain name Whois records and stores them for subsequent analysis. The database contains billions of Whois records across hundreds of millions of domains, dating back in some cases to 2001.

EXHIBIT 1PAGE 7 OF 20**Whois Record on Apr 30, 2016**

Domain Name: STDREGISTRY.COM
 Registry Domain ID: 1713688435_DOMAIN_COM-VRSN
 Registrar WHOIS Server: whois.namepal.com
 Registrar URL: http://namepal.com
 Updated Date: 2016-04-30T21:01:41Z
 Creation Date: 2012-04-15T00:00:00Z
 Registrar Registration Expiration Date: 2026-04-15T00:00:00Z
 Registrar: NamePal.com, LLC
 Registrar IANA ID: 997
 Registrar Abuse Contact Email: abuse@namepal.com
 Registrar Abuse Contact Phone: +1.720.921.8850
 Domain Status: clientTransferProhibited https://www.icann.org/epp#clientTransferProhibited
 Registry Registrant ID:
 Registrant Name: Domain Administrator
 Registrant Organization: United Privacy Corp
 Registrant Street: P.O. Box #2
 Registrant City: Belize City
 Registrant State/Province: Belize
 Registrant Postal Code: 00000
 Registrant Country: BZ
 Registrant Phone: +501.2230114
 Registrant Phone Ext:
 Registrant Fax:
 Registrant Fax Ext:
 Registrant Email: stdregistry.com@unitedprivacy.com
 Registry Admin ID:
 Admin Name: Domain Administrator
 Admin Organization: United Privacy Corp
 Admin Street: P.O. Box #2
 Admin City: Belize City
 Admin State/Province: Belize
 Admin Postal Code: 00000
 Admin Country: BZ
 Admin Phone: +501.2230114
 Admin Phone Ext:
 Admin Fax:
 Admin Fax Ext:
 Admin Email: stdregistry.com@unitedprivacy.com
 Registry Tech ID:
 Tech Name: Domain Administrator
 Tech Organization: United Privacy Corp
 Tech Street: P.O. Box #2
 Tech City: Belize City
 Tech State/Province: Belize
 Tech Postal Code: 00000
 Tech Country: BZ
 Tech Phone: +501.2230114
 Tech Phone Ext:
 Tech Fax:
 Tech Fax Ext:
 Tech Email: stdregistry.com@unitedprivacy.com
 Name Server: NS2.LIARSANDCHEATERS.COM
 Name Server: NS1.LIARSANDCHEATERS.COM
 DNSSEC: unsigned
 StdRegistry.com



Screenshot taken Apr 20, 2016

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URL of the ICANN WHOIS Data Problem Reporting System: <http://wdprs.internic.net/>

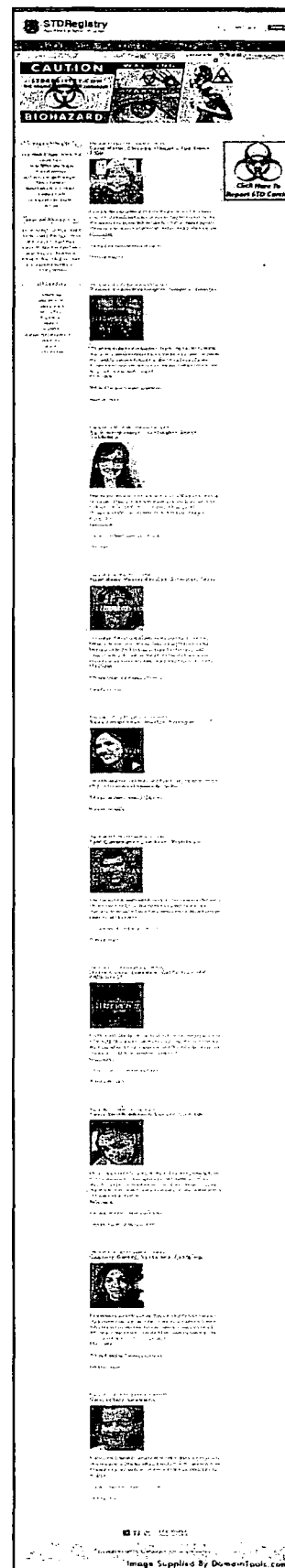
For more information on Whois status codes, please visit <https://icann.org/epp>

EXHIBIT

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Whois Record on Sep 16, 2015

Domain Name: StdRegistry.com
 Registry Domain ID: 1713688435_DOMAIN_COM-VRSN
 Registrar WHOIS server: whois.NameBright.com
 Registrar URL: http://www.NameBright.com
 Updated Date: 2015-07-23T00:00:00.000Z
 Creation Date: 2012-04-15T18:30:48.000Z
 Registrar Registration Expiration Date: 2016-04-15T00:00:00.000Z
 Registrar: DomainLocal LLC
 Registrar IANA ID: 1529
 Registrar Abuse Contact Email: abuse@NameBright.com
 Registrar Abuse Contact Phone: +1.720.496.0020
 Domain Status: clientTransferProhibited
 Registry Registrant ID:
 Registrant Name: Private Registration
 Registrant Organization:
 Registrant Street: 2635 Walnut Street
 Registrant City: Denver
 Registrant State/Province: CO
 Registrant Postal Code: 80205
 Registrant Country: US
 Registrant Phone: +1.720.496.0020
 Registrant Phone Ext:
 Registrant Fax:
 Registrant Fax Ext:
 Registrant Email: stdregistry.com@NameBrightPrivacy.com
 Registry Admin ID:
 Admin Name: Private Registration
 Admin Organization:
 Admin Street: 2635 Walnut Street
 Admin City: Denver
 Admin State/Province: CO
 Admin Postal Code: 80205
 Admin Country: US
 Admin Phone: +1.720.496.0020
 Admin Phone Ext:
 Admin Fax:
 Admin Fax Ext:
 Admin Email: stdregistry.com@NameBrightPrivacy.com
 Registry Tech ID:
 Tech Name: Private Registration
 Tech Organization:
 Tech Street: 2635 Walnut Street
 Tech City: Denver
 Tech State/Province: CO
 Tech Postal Code: 80205
 Tech Country: US
 Tech Phone: +1.720.496.0020
 Tech Phone Ext:
 Tech Fax:
 Tech Fax Ext:
 Tech Email: stdregistry.com@NameBrightPrivacy.com
 Name Server: dns1.namecheaposting.com
 Name Server: dns2.namecheaposting.com
 DNSSEC: unsigned
 StdRegistry.com



Screenshot taken Sep 16, 2015

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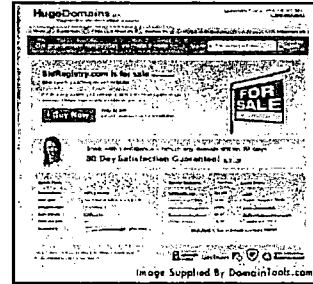
URL of the ICANN WHOIS Data Problem Reporting System:
<http://wdprs.internic.net>

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Whois Record on Jul 24, 2015

Domain Name: StdRegistry.com
 Registry Domain ID: 1713688435_DOMAIN_COM-VRSN
 Registrar WHOIS server: whois.NameBright.com
 Registrar URL: http://www.NameBright.com
 Updated Date: 2015-07-22T00:00:00.000Z
 Creation Date: 2012-04-15T18:30:48.000Z
 Registrar Registration Expiration Date: 2016-04-15T00:00:00.000Z
 Registrar: DomainLocal LLC
 Registrar IANA ID: 1529
 Registrar Abuse Contact Email: abuse@NameBright.com
 Registrar Abuse Contact Phone: +1.720.496.0020
 Domain Status: clientTransferProhibited
 Registry Registrant ID:
 Registrant Name: Private Registration
 Registrant Organization:
 Registrant Street: 2635 Walnut Street
 Registrant City: Denver
 Registrant State/Province: CO
 Registrant Postal Code: 80205
 Registrant Country: US
 Registrant Phone: +1.303.893.0547
 Registrant Phone Ext:
 Registrant Fax:
 Registrant Fax Ext:
 Registrant Email: stdregistry.com@NameBrightPrivacy.com
 Registry Admin ID:
 Admin Name: Private Registration
 Admin Organization:
 Admin Street: 2635 Walnut Street
 Admin City: Denver
 Admin State/Province: CO
 Admin Postal Code: 80205
 Admin Country: US
 Admin Phone: +1.303.893.0547
 Admin Phone Ext:
 Admin Fax:
 Admin Fax Ext:
 Admin Email: stdregistry.com@NameBrightPrivacy.com
 Registry Tech ID:
 Tech Name: Private Registration
 Tech Organization:
 Tech Street: 2635 Walnut Street
 Tech City: Denver
 Tech State/Province: CO
 Tech Postal Code: 80205
 Tech Country: US
 Tech Phone: +1.303.893.0547
 Tech Phone Ext:
 Tech Fax:
 Tech Fax Ext:
 Tech Email: stdregistry.com@NameBrightPrivacy.com
 Name Server: dns1.namecheaphosting.com
 Name Server: dns2.namecheaphosting.com
 DNSSEC: unsigned
 StdRegistry.com



Screenshot taken Dec 25, 2014

URL of the ICANN WHOIS Data Problem Reporting System:
<http://wdprs.internic.net>

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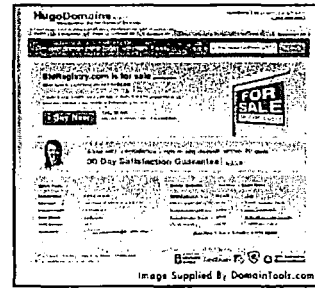
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Whois Record on Jun 9, 2015

Domain Name: StdRegistry.com
Registrar URL: <http://www.NameBright.com>
Registrant Name: Domain Admin
Registrant Organization: HugeDomains.com
Name Server: call-now.hugedomains.com
Name Server: call-now2.hugedomains.com
DNSSEC: unsigned

To view the full Whois information please visit:
<https://www.namebright.com/Whois/StdRegistry.com>

StdRegistry.com may be available to purchase! Please visit
http://www.hugedomains.com/domain_profile.cfm?d=StdRegistry&e=com
for more details, or call +1-303-893-0552 to speak to the owner.



Screenshot taken Dec 25, 2014

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Whois Record on Apr 17, 2012**Registrant:**

Andrew Reberry andrew_reberry@hotmail.com
1422 Delgany Street
Suite 400
Denver, CO 80202
US
+1.303.249.9750

Registrar: DomainLocal.com (<http://www.domainlocal.com>)

Domain Name: StdRegistry.com

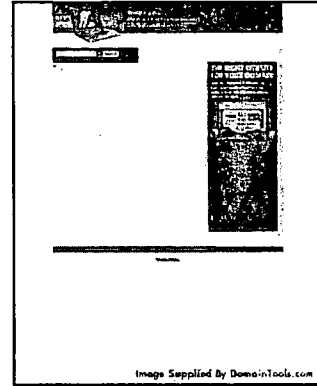
Creation Date: 4/15/2012
Expiration Date: 4/15/2013
Last Updated Date: 4/16/2012
Domain Locked: True

Administrative Contact:

Andrew Reberry andrew_reberry@hotmail.com
1422 Delgany Street
Suite 400
Denver, CO 80202
US
+1.303.249.9750

Technical Contact:

Andrew Reberry andrew_reberry@hotmail.com
1422 Delgany Street
Suite 400
Denver, CO 80202
US
+1.303.249.9750



Screenshot taken Jan 7, 2012

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Hosting History

DomainTools tracks changes to a domain name's IP address, name server and registrar. These events can be useful signals that may indicate more macro events, including: domain name sales, transfers or deletions; taking a site live with new content; or a change in registration or hosting profile.

Registrar History

Date	Registrar
Apr 28, 2016	More Name
Feb 14, 2016	DomainLocal LLC
Jan 30, 2012	Schlund.de
Jun 26, 2007	GoDaddy.com

Name Server History

Event Date	Action	New Server	Previous Server
Feb 15, 2016	Transfer	liarsandcheaters.com	cloudflare.com
Feb 6, 2016	Transfer	cloudflare.com	liarsandcheaters.com
Feb 3, 2016	Transfer	liarsandcheaters.com	cloudflare.com
Feb 2, 2016	Transfer	cloudflare.com	orangewebsite.com
Oct 1, 2015	Transfer	orangewebsite.com	namecheaposting.com
Jul 24, 2015	Transfer	namecheaposting.com	hugedomains.com
May 1, 2015	Transfer	hugedomains.com	namebrightdns.com
Apr 17, 2012	New	namebrightdns.com	-
Mar 10, 2012	Delete	-	domcollect.com
Jan 31, 2012	Transfer	domcollect.com	1and1.com
Jan 30, 2010	New	1and1.com	-
Jun 27, 2008	Delete	-	dsredirection.com
Jun 23, 2008	New	dsredirection.com	-
Jun 22, 2008	Delete	-	blacksnowsdns.com
Jun 21, 2008	New	blacksnowsdns.com	-
Dec 7, 2007	Delete	-	homebussiness-instantprofits.com
Dec 3, 2007	New	homebussiness-instantprofits.com	-
Aug 12, 2007	Transfer	domainct.com	ancientname.net
Aug 8, 2007	Transfer	ancientname.net	name-services.com
May 21, 2007	Transfer	domaincontrol.com	secureserver.net
May 18, 2004	New	secureserver.net	-

IP Address History

Event Date	Action	New IP	Previous IP
Feb 6, 2016	New	209.141.39.215	82.221.130.115
Feb 2, 2016	Change	82.221.130.115	82.221.136.1

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Oct 1, 2015	Change	82.221.136.1	104.219.248.63
Jul 24, 2015	Change	104.219.248.63	54.174.31.254
Jul 21, 2015	Change	54.174.31.254	54.84.74.52
Jul 8, 2015	Change	54.84.74.52	54.85.144.197
Jun 24, 2015	Change	54.85.144.197	54.174.31.254
Jun 8, 2015	Change	54.174.31.254	54.85.146.186
May 11, 2015	Change	54.85.146.186	54.236.84.111
May 1, 2015	Change	54.236.84.111	54.85.146.186
Apr 2, 2015	Change	54.85.146.186	54.209.168.250
Mar 20, 2015	Change	54.209.168.250	54.209.221.129
Feb 21, 2015	Change	54.209.221.129	54.209.61.132
Jan 26, 2015	Change	54.209.61.132	54.209.221.129
Jan 13, 2015	Change	54.209.221.129	54.209.61.132
Nov 9, 2014	Change	54.209.61.132	54.209.221.129
Oct 27, 2014	Change	54.209.221.129	54.209.61.132
Oct 14, 2014	Change	54.209.61.132	54.209.221.129
Oct 2, 2014	Change	54.209.221.129	54.209.61.132
Aug 26, 2014	Change	54.209.61.132	54.209.221.129
Aug 2, 2014	Change	54.209.221.129	54.209.61.132
Jul 9, 2014	Change	54.209.61.132	54.209.221.129
Jun 27, 2014	Change	54.209.221.129	54.209.61.132
Jun 15, 2014	Change	54.209.61.132	54.209.221.129
Apr 15, 2014	Change	54.209.221.129	54.209.61.132
Mar 31, 2014	Change	54.209.61.132	54.209.129.218
Mar 5, 2014	Change	54.209.129.218	54.209.221.129
Jan 12, 2014	Change	54.209.221.129	107.20.206.69
Jan 3, 2013	Change	107.20.206.69	216.38.192.53
Nov 14, 2012	Change	216.38.192.53	216.150.214.58
May 2, 2012	New	216.150.214.58	
Apr 19, 2012	Not Resolvable	-	74.117.114.119
Apr 17, 2012	New	74.117.114.119	
Mar 14, 2012	Not Resolvable	-	82.98.86.179
Jan 31, 2012	Change	82.98.86.179	74.208.83.122
Apr 10, 2011	New	74.208.83.122	-
Feb 15, 2010	New	74.208.83.122	
Feb 3, 2010	Not Resolvable	-	74.208.83.122
Jan 30, 2010	New	74.208.83.122	
Aug 26, 2007	Not Resolvable	-	66.45.238.60
Aug 26, 2007	Not Resolvable	-	66.45.238.60
Aug 12, 2007	New	66.45.238.60	-
Aug 12, 2007	New	66.45.238.60	
Aug 5, 2007	Not Resolvable	-	69.25.142.57
Aug 5, 2007	Not Resolvable	-	69.25.142.57
Aug 4, 2007	New	69.25.142.57	-
Aug 4, 2007	New	69.25.142.57	

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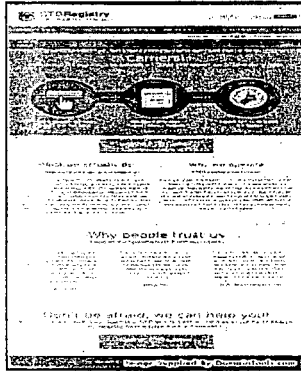
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Jul 1, 2007	Not Resolvable	-	68.178.232.99
Jul 1, 2007	Not Resolvable	-	68.178.232.99
Apr 2, 2006	Change	68.178.232.99	68.178.232.99
Jun 12, 2004	Change	64.202.167.129	64.202.167.129
May 18, 2004	New	64.202.167.192	-

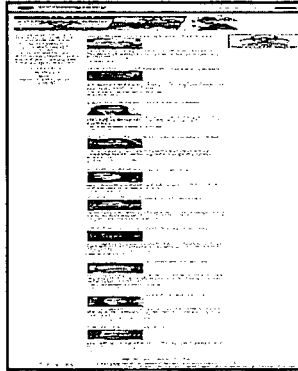
Screenshot History

DomainTools captures snapshots of website homepages on regular intervals. This content is useful for researchers to understand how a domain was used at various points in time. Due to the relatively high storage costs of screenshot data, the coverage of screenshot histories is in most cases not as thorough as Whois or hosting data, and this is especially true for dates early in a domain's history.

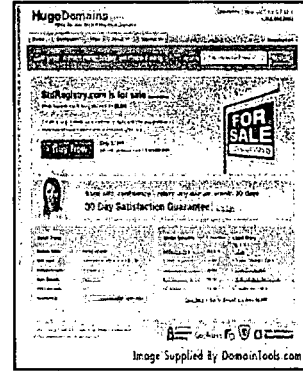
DomainTools has 8 records collected between Nov 16, 2010 and Apr 20, 2016.



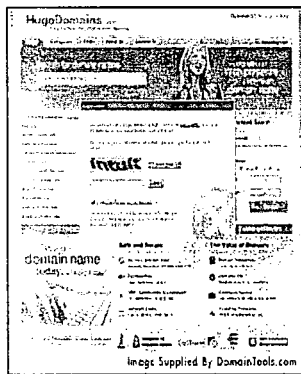
Apr 20, 2016



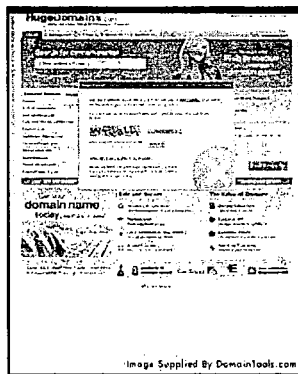
Sep 16, 2015



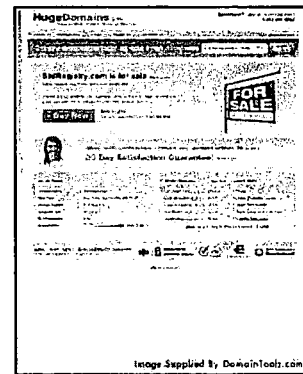
Dec 25, 2014



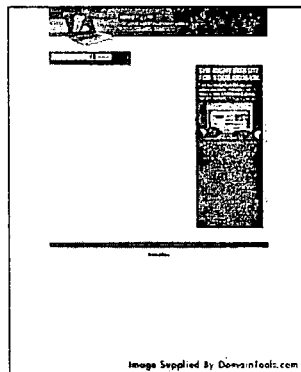
Dec 9, 2013



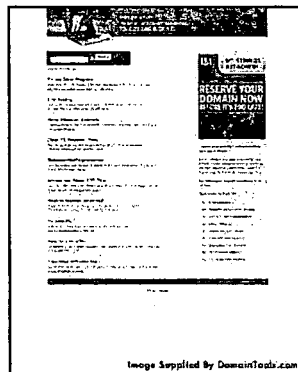
May 10, 2013



Jun 7, 2012



Jan 7, 2012



Nov 16, 2010

Connected Domains

Shared IP Address

DomainTools uses proprietary techniques to discover other domain names that are hosted on the same IP address (web host) as StdRegistry.com. This is a sample of up to 100 randomly-selected domains from that dataset. Access to this data provides context in cases where knowing associated domain names has value.

The exhaustive list of connected domains by IP address is available in the Reverse IP product at DomainTools.com.

Domain	Created	Registrant
badbizreport.com	Sep 8, 2015	Domains By Proxy, LLC
badboydirectory.com	Apr 22, 2016	United Privacy Corp
badboyescort.com	Apr 16, 2016	United Privacy Corp
blacklistreport.com	Mar 23, 2012	WHOISGUARD, INC.
cheatersrus.com	Nov 25, 2011	WHOIS PRIVACY PROTECTION SERVICE, INC
deadbeatregistry.com	Apr 27, 2016	United Privacy Corp
godaddyus.com	May 28, 2016	United Privacy Corp
gotrevenge.com	Jun 13, 2016	United Privacy Corp
liarcheatersrus.com	Apr 27, 2016	United Privacy Corp
predatorslist.com	Apr 30, 2015	Domains By Proxy, LLC
predatorswatch.com	Jan 28, 2015	United Privacy Corp
reportdeadbeats.com	Sep 19, 2015	Domains By Proxy, LLC
reportmyex.com	Jul 27, 2010	Domains By Proxy, LLC
scamboard.com	Aug 24, 2005	Domains By Proxy, LLC
scamfound.com	Mar 27, 2015	United Privacy Corp
stdregistry.com	Apr 15, 2012	United Privacy Corp
valleymetalrecyclinginc.com	Jan 15, 2015	scamfound.org inc.

Shared Name Server

DomainTools uses proprietary techniques to discover other domain names that are hosted on the same name server as StdRegistry.com. This is a sample of up to 100 randomly-selected domains from that dataset. Access to this data provides context in cases where knowing associated domain names has value.

The exhaustive list of connected domains by name server is available in the Name Server Report product at DomainTools.com.

Domain	Created	Registrant
badbizreport.com	Sep 8, 2015	Domains By Proxy, LLC
badboydirectory.com	Apr 22, 2016	United Privacy Corp
badboyescort.com	Apr 16, 2016	United Privacy Corp
blacklistreport.com	Mar 23, 2012	WHOISGUARD, INC.
cheatersrus.com	Nov 25, 2011	WHOIS PRIVACY PROTECTION SERVICE, INC.
deadbeatregistry.com	Apr 27, 2016	United Privacy Corp
exposingpredators.com	May 15, 2016	United Privacy Corp
godaddyus.com	May 28, 2016	United Privacy Corp
gotrevenge.com	Jun 13, 2016	United Privacy Corp
liarcheatersrus.com	Apr 27, 2016	United Privacy Corp
liarsandcheaters.com	Jun 19, 2003	Domains By Proxy, LLC
potentialjohns.com	Feb 10, 2016	Domains By Proxy, LLC
predatorslist.com	Apr 30, 2015	Domains By Proxy, LLC
predatorswatch.com	Jan 28, 2015	United Privacy Corp
reportdeadbeats.com	Sep 19, 2015	Domains By Proxy, LLC
reportmyex.com	Jul 27, 2010	Domains By Proxy, LLC
scamboard.com	Aug 24, 2005	Domains By Proxy, LLC
scamfound.com	Mar 27, 2015	United Privacy Corp
stdregistry.com	Apr 15, 2012	United Privacy Corp
valleymetalrecyclinginc.com	Jan 15, 2015	scamfound.org inc.
wikiwarnings.com	Mar 3, 2016	United Privacy Corp

1

store.istry.com | 2012-08-07

stdregistry.com
2015-09-16

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stdregistry.com | 2014-12-25

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Search

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Only \$2,095

Call us for more information: 1-303-893-0552

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30 Day Satisfaction Guarantee! [Learn More](#)**Quick Facts**

Domain Name: StdRegistry.com

Sale Type: Fixed Price - Buy Now for only \$2,095

Domain Length: 11 Characters

Base Domain: StdRegistry

TLD Extension: .com

Brandability: **VERY HIGH**

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2 / 7

stdregistry.com

2015-09-16

EXHIBIT

4

PAGE

1 OF 6

Home > Screenshot History > Stdregistry.com

Stdregistry.com Screenshot History

std
Exam

STDRegistry
Report the truth before it's too late!

Search STD Carrier Here... **SEARCH**

HOME CONTACT REPORT STD CARRIER TERMS OF SERVICE REMOVAL

Connect With Login Register

CAUTION
STDREGISTRY.COM
THE ONLINE STD CARRIER DATABASE
BIOHAZARD

WARNING

RECENT POSTS

September 15, 2015 - Leave a comment

Carol Marin, Chicago, Illinois - Full Blown AIDS

Carol Marin, Chicago, Illinois - Full Blown AIDS

Trener Andre Washington, Smyrna, Georgia

April Wertsbaugh, Huntington Beach, California

Rose Marie Mercer-Phillips, Arlington, Texas

Sana Ismail Khan, Inkster, Michigan

Carol acts like a complete slut behind the scenes and then tries to pass herself off as a sophisticated woman. Carol Marin lies all the time, she has sex with anyone that will have her. She has several guy that she fucks at the same time at the NBC5 news station. She is bisexual

[READ MORE](#)

This post has been viewed 1,005 times

Posted in HIV/AIDS

RECENT COMMENTS

Lisa on George Tarazaga, Ontario

Lisa on George Tarazaga, Ontario

anonymous on Rose Marie Mercer-Phillips, Arlington, Texas

anonymous on Rose Marie Mercer-Phillips, Arlington, Texas

Gwen on Gustavo Olivarez, Ontario, California

Newer

Orange, California

CATEGORIES

Chlamydia

Genital Herpes

Genital Warts

Gonorrhea

Hepatitis C

Herpes

HIV/AIDS

Human Papillomavirus (HPV)

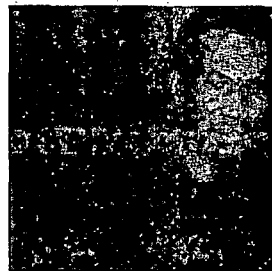
Pubic Lice

Syphilis

Trichomoniasis

September 13, 2015 - Leave a comment

Treneir Andre Washington, Smyrna, Georgia



(Treneir)Andre Washington resides in Smyrna, Georgia (metro Atlanta) and has an impressive resume but is a true liar and cheater. He passes around STDs, sleeps with escorts and lies about being with other women. He will wine and dine you and make you believe he cares when he doesn't. Do not let the job and

[READ MORE](#)

This post has been viewed 1,169 times

Posted in Herpes

September 12, 2015 - Leave a comment

April Wertsbaugh, Huntington Beach, California



Shes a player and always will be a player and the icing on the cake she has herpes.. Crazy slut, she loves showing her pics to anyone. She is really a big cheater and a slut! This whore will fuck you for a cheeseburger with extra mustard. She fucked some other guy, payback is a

[READ MORE](#)

This post has been viewed 1,150 times

Posted in Herpes

September 9, 2015 - 2 Comments

Rose Marie Mercer-Phillips, Arlington, Texas

EXHIBIT

PAGE

4
306

This woman, who goes by several names, knowingly pursued my husband, James Ducker. She has been charged with stalking and harassing me by the District Attorney's office of Tarrant County Texas. When I confronted her, she told me that she knew he was married and didn't care. She said that she would see me dead before

[READ MORE](#)

This post has been viewed 1,277 times

Posted in HIV/AIDS

September 7, 2015 - [Leave a comment](#)

Sana Ismail Khan, Inkster, Michigan



She's a fucking slut. Pays \$1 for a hobby while working and studying at HFCC. She never has sex because she has aids.

This post has been viewed 1,418 times

Posted in HIV/AIDS

September 7, 2015 - [Leave a comment](#)

Kyle Cunningham, Jackson, Mississippi



EXHIBIT

PAGE 480

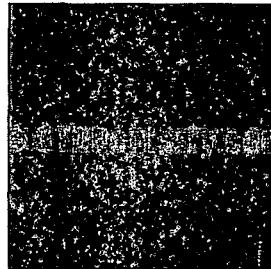
Ladies please stay away from this creep. He has all kinds of STDs and is also the threatening type. Plus he smells like baked ass. He's a charmer and very convincing but also twisted and mentally ill. Please be aware and be very careful!

This post has been viewed 1,252 times

Posted in Herpes:

September 7, 2015 - Leave a comment

Jackie Rivero, Glendale, California - HIV AIDS GIVER



I met this whore on line. She is prostitute. I drove 45 minutes to see her in Glendale, CA and when I got there I was pissed. She looked nothing like the beautiful girl I was suppose to meet. The girl on the phone said she was 21, but this woman looked more like 40.

[READ MORE](#)

This post has been viewed 1,569 times

Posted in HIV/AIDS


September 5, 2016 - Leave a comment

Kaela Smith-Johnson, Denver, Colorado



Be very careful with this Facebook whore. She is from Denver, Colorado and in a relationship but using Facebook and internet to connect sexually to married men and ask them for sex and to send her money and steal their information. I just want to warn everyone. She has played and scammed my husband. I

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 This post has been viewed 1,131 times.

Posted in Human Papillomavirus (HPV)

EXHIBIT

PAGE

4
5 of 6

September 5, 2015 · Leave a comment

Gabriela Gomez, Santa Ana, California



Be on the look out for this whore! Dated Gabriela Gomez for almost 3 years. Gabriela just your run of the mill whores, she works at Durham School Services. Caught her this past Tuesday cheating on me with another woman's husband that she'd been sneaking around with for over a month. She creates multiple profiles

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This post has been viewed 1,621 times

Posted in Herpes

September 3, 2015 · Leave a comment

Glen Scholl, Louisiana



Beware of this Cheater!!! He is on Plenty of Fish dating site. He picks up women on dating sites and in bars. Sleeps with multiple partners. Don't believe his lies, he can be very charming at first, but it's fake. Gave me an STD!

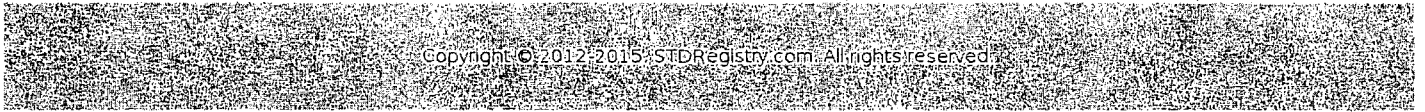
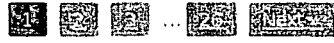
This post has been viewed 1,723 times

Posted in Herpes

EXHIBIT

PAGE

OF



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1 / 7

Home > Whois Lookup > StdRegistry.org

Whois Record for StdRegistry.org

How does this work?

Related Domains For Sale or At Auction

1 2 3
More >

TestDomain.com (\$5,899)	HostDomain.org (\$788)
TopBestDeals.com (\$1,188)	ArtistDevelopment.org (\$3,388)
BestDealOnline.com (\$8,995)	BestDealNow.com (\$2,800)

- Whois & Quick Stats

Email	5437ba35pdovgn...@5225b4d0pi3627q9.whoisprivacycorp.com 5437ba35alm2s1...@5225b4d0pi3627q9.whoisprivacycorp.com 5437ba356g197a...@5225b4d0pi3627q9.whoisprivacycorp.com
Registrant Org	Whois Privacy Corp. was found in ~539,517 other domains
Dates	Created on 2014-08-26 - Expires on 2018-08-26 - Updated on 2015-08-27
IP Address	104.27.182.22 - 81 other sites hosted on this server
IP Location	🇺🇸 - Arizona - Phoenix - Cloudflare Inc.
ASN	🇺🇸 AS13335 CLOUDFLARENET - CloudFlare, Inc., US (registered Jul 14, 2010)
Domain Status	Registered And Active Website
Whois History	101 records have been archived since 2010-03-24
IP History	17 changes on 13 unique IP addresses over 12 years
Hosting History	7 changes on 7 unique name servers over 12 years
Whois Server	whois.pir.org

- Website

Website Title	🕒 STD Registry - STDRegistry.org - Report Them Before They Hurt Others - The ORIGINAL STD database
Server Type	cloudflare-nginx
Response Code	200
SEO Score	89%
Terms	816 (Unique: 267, Linked: 488)
Images	11 (Alt tags missing: 0)
Links	93 (Internal: 51, Outbound: 1)

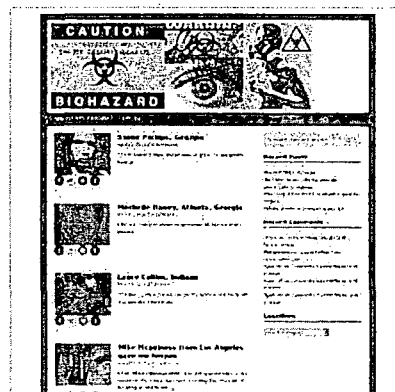
Whois Record (last updated on 2016-08-01)

Domain Name: STDREGISTRY.ORG
Domain ID: D173719259-LROR
WHOIS Server:
Referral URL: www.internet.bs
Updated Date: 2015-08-27T13:59:43Z
Creation Date: 2014-08-26T17:11:55Z
Registry Expiry Date: 2018-08-26T17:11:55Z
Sponsoring Registrar: Internet Domain Service BS Corp
Sponsoring Registrar IANA ID: 2487
Domain Status: clientTransferProhibited https://icann.org/epp#clientTransferProhibited
Registrant ID: INTEt1dk5oc2p83o
Registrant Name: Domain Admin
Registrant Organization: Whois Privacy Corp.
Registrant Street: Ocean Centre, Montagu Foreshore
Registrant Street: East Bay Street

Preview the Full Domain Report

Tools

Whois History	Hosting History
Monitor Domain Properties	
Reverse Whois Lookup	
Reverse IP Address Lookup	
Network Tools	
Buy This Domain	Visit Website



View Screenshot History

Available TLDs

General TLDs Country TLDs

The following domains are available through our preferred partners. Select domains below for more information. (3rd party site)

- ☐ Taken domain.
☐ Available domain.
☐ Deleted previously owned domain.

StdRegistry.com	View Whois
StdRegistry.net	Buy Domain
StdRegistry.org	View Whois
StdRegistry.info	Buy Domain
StdRegistry.biz	Buy Domain
StdRegistry.us	Buy Domain



EXHIBIT

PAGE 2 OF 2

Registrant City: Nassau
Registrant State/Province: New Providence
Registrant Postal Code: 0000
Registrant Country: BS
Registrant Phone: +1.5163872248
Registrant Phone Ext:
Registrant Fax:
Registrant Fax Ext:
Registrant Email: 5437ba35pdovgnlj@5225b4d0pi3627q9.whoisprivacycorp.com
Admin ID: INTEklkogqwz3lf9
Admin Name: Domain Admin
Admin Organization: Whois Privacy Corp.
Admin Street: Ocean Centre, Montagu Foreshore
Admin Street: East Bay Street
Admin City: Nassau
Admin State/Province: New Providence
Admin Postal Code: 0000
Admin Country: BS
Admin Phone: +1.5163872248
Admin Phone Ext:
Admin Fax:
Admin Fax Ext:
Admin Email: 5437ba35atm2s1k2@5225b4d0pi3627q9.whoisprivacycorp.com
Tech ID: INTES03dvewtltu6
Tech Name: Domain Admin
Tech Organization: Whois Privacy Corp.
Tech Street: Ocean Centre, Montagu Foreshore
Tech Street: East Bay Street
Tech City: Nassau
Tech State/Province: New Providence
Tech Postal Code: 0000
Tech Country: BS
Tech Phone: +1.5163872248
Tech Phone Ext:
Tech Fax:
Tech Fax Ext:
Tech Email: 5437ba356g197av7@5225b4d0pi3627q9.whoisprivacycorp.com
Name Server: DINA.NS.CLOUDFLARE.COM
Name Server: NORM.NS.CLOUDFLARE.COM
DNSSEC: unsigned

For more information on Whois status codes, please visit <https://icann.org/epp>



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Home > Whois Lookup > StdCarriersDatabase.com

Whois Record for StdCarriersDatabase.com

How does this work?

Related Domains For Sale or At Auction

1 2 3
More >

CarCarrierServices.com (\$4,788)
RoadCarriers.com (\$2,088)
BabyCarrierShop.com (\$988)

WineCarriers.com (\$4,850)
PetsCarriers.com (\$4,588)
CheapPetCarriers.com (\$2,095)

— Whois & Quick Stats

Email	abuse@tldregistrarsolutions.com is associated with ~177,141 domains stdca...@customers.whoisprivacycorp.com stdca...@customers.whoisprivacycorp.com stdca...@customers.whoisprivacycorp.com	➔
Registrant Org	Whois Privacy Corp. was found in ~539,517 other domains	➔
Registrar	TLD REGISTRAR SOLUTIONS LTD	
Registrar Status	clientTransferProhibited	
Dates	Created on 2015-10-31 - Expires on 2018-10-31 - Updated on 2016-05-07	➔
Name Server(s)	DINA.NS.CLOUDFLARE.COM (has 1,494,881 domains) NORM.NS.CLOUDFLARE.COM (has 1,494,881 domains)	➔
IP Address	104.25.228.30 - 4 other sites hosted on this server	➔
IP Location	🇺🇸 - Arizona - Phoenix - Cloudflare Inc.	
ASN	🇺🇸 AS13335 CLOUDFLARENET - CloudFlare, Inc., US (registered Jul 14, 2010)	
Domain Status	Registered And Active Website	
Whois History	20 records have been archived since 2015-10-31	➔
IP History	4 changes on 5 unique IP addresses over 1 years	➔
Registrar History	1 registrar	➔
Hosting History	3 changes on 3 unique name servers over 1 year	➔
Whois Server	whois.tldregistrarsolutions.com	

— Website

Website Title	🌐 STD Carriers Database - Report Them Before They Hurt Others - The ORIGINAL STD database	➔
Server Type	cloudflare-nginx	
Response Code	200	
SEO Score	90%	
Terms	859 (Unique: 257, Linked: 529)	
Images	11 (Alt tags missing: 0)	
Links	93 (Internal: 52, Outbound: 0)	

Whois Record (last updated on 2016-08-01)

Domain Name: STDCARRIERSDATABASE.COM
Registry Domain ID: 1973619676_DOMAIN_COM-VRSN
Registrar WHOIS Server: whois.tldregistrarsolutions.com
Registrar URL: http://www.tldregistrarsolutions.com

Preview the Full Domain Report

Tools

Whois History	Hosting History
Monitor Domain Properties	▼
Reverse Whois Lookup	▼
Reverse IP Address Lookup	▼
Reverse Name Server Lookup	▼
Network Tools	▼
Buy This Domain ▼	Visit Website

No Screenshot Available

View Screenshot History

Available TLDs

General TLDs Country TLDs

The following domains are available through our preferred partners. Select domains below for more information. (3rd party site)

- ☐ Taken domain.
☐ Available domain.
☐ Deleted previously owned domain.

StdCarriersDatabase...	View Whois
StdCarriersDatabase...	Buy Domain
StdCarriersDatabase...	Buy Domain
StdCarriersDatabase...	Buy Domain
StdCarriersDatabase...	Buy Domain
StdCarriersDatabase...	Buy Domain



EXHIBIT

PAGE

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Updated Date: 2016-05-07T06:20:15Z
 Creation Date: 2015-10-31T06:06:34Z
 Registrar Registration Expiration Date: 2018-10-31T06:06:34Z
 Registrar: TLD Registrar Solutions Ltd.
 Registrar IANA ID: 1564
 Registrar Abuse Contact Email: abuse@tldregistrarsolutions.com
 Registrar Abuse Contact Phone: +1.5167401179
 Reseller:
 Domain Status: clientTransferProhibited - http://www.icann.org/epp#clientTransferProhibited
 Registry Registrant ID:
 Registrant Name: Domain Admin
 Registrant Organization: Whois Privacy Corp.
 Registrant Street: Ocean Centre, Montagu Foreshore, East Bay Street
 Registrant City: Nassau
 Registrant State/Province: New Providence
 Registrant Postal Code: 0000
 Registrant Country: BS
 Registrant Phone: +1.5163872248
 Registrant Phone Ext:
 Registrant Fax:
 Registrant Fax Ext:
 Registrant Email: stdcarriersdatabase.com-owner@customers.whoisprivacycorp.com
 Registry Admin ID:
 Admin Name: Domain Admin
 Admin Organization: Whois Privacy Corp.
 Admin Street: Ocean Centre, Montagu Foreshore, East Bay Street
 Admin City: Nassau
 Admin State/Province: New Providence
 Admin Postal Code: 0000
 Admin Country: BS
 Admin Phone: +1.5163872248
 Admin Phone Ext:
 Admin Fax:
 Admin Fax Ext:
 Admin Email: stdcarriersdatabase.com-admin@customers.whoisprivacycorp.com
 Registry Tech ID:
 Tech Name: Domain Admin
 Tech Organization: Whois Privacy Corp.
 Tech Street: Ocean Centre, Montagu Foreshore, East Bay Street
 Tech City: Nassau
 Tech State/Province: New Providence
 Tech Postal Code: 0000
 Tech Country: BS
 Tech Phone: +1.5163872248
 Tech Phone Ext:
 Tech Fax:
 Tech Fax Ext:
 Tech Email: stdcarriersdatabase.com-tech@customers.whoisprivacycorp.com
 Name Server: dina.ns.cloudflare.com
 Name Server: norm.ns.cloudflare.com
 DNSSEC: unsigned
 URL of the ICANN WHOIS Data Problem Reporting System: http://wdprs.internic.net/



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3

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☐ Convert Base-10 to IP

104.25.229.30

GO!

whois databases direct links. IP addresses Whois:

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Lookup failed: 104.25.229.30 No data

104.25.229.30 is from United States (US) in region North America

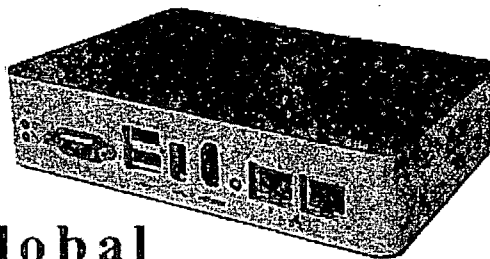
TraceRoute from Network-Tools.com to 104.25.229.30

Hop	(ms)	(ms)	(ms)	IP Address	Host name
1	11	0	0	206.123.64.233	-
2	1	1	1	173.219.246.92	173-219-246-92.suddenlink.net
3	Timed out	Timed out	243	173.219.225.54	173-219-225-54.suddenlink.net

4	1	0	0	206.223.118.145	xe-0-0-3.edge01.dfw01.as13335.net
5	1	1	0	104.25.229.30	-

Trace complete

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- ☐ Network Lookup
- ☐ Spam Blacklist Check
- ☐ URL Decode
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whois databases direct links. IP addresses Whois:

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EXHIBIT

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2 OF 3

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Lookup failed: 104.27.183.22 No data

104.27.183.22 is from United States (US) in region North America

TraceRoute from Network-Tools.com to 104.27.183.22

Hop	(ms)	(ms)	(ms)	IP Address	Host name
1	0	0	0	206.123.64.233	-
2	1	1	1	173.219.246.92	173-219-246-92.suddenlink.net
3	279	320	315	173.219.225.56	173-219-225-56.suddenlink.net
4	0	0	1	206.223.118.145	206-223-118-145.suddenlink.net

+	0	0	1	200.225.110.145	AC-0-0-0-0	1.01W01.as15555.net
5	1	0	0	104.27.183.22	-	

Trace complete

EXHIBIT

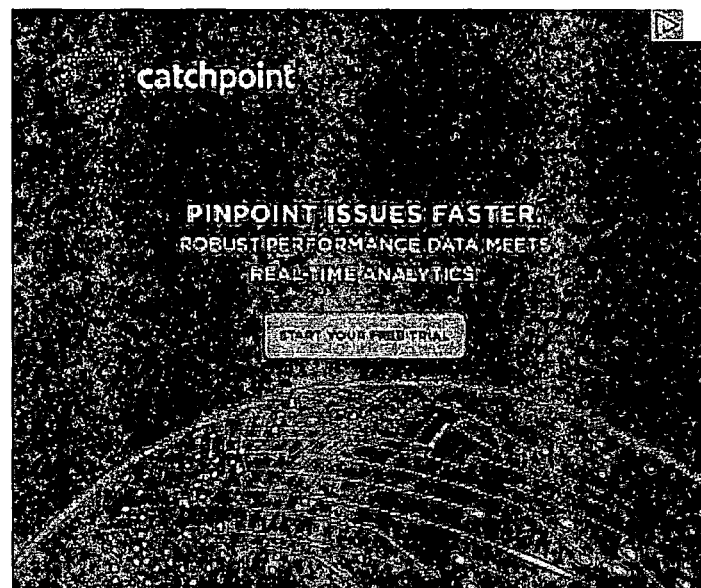
8

PAGE

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- ☐ DNS Records ([Advanced Tool](#))
- ☐ Network Lookup
- ☐ Spam Blacklist Check
- ☐ URL Decode
- ☐ URL Encode
- ☐ HTTP Headers ☐ SSL
- ☐ Email Tests

☐ Convert Base-10 to IP

209.141.39.215

GO!

whois databases direct links. IP addresses Whois:

[Americas \(ARIN\)](#)[Europe \(RIPE\)](#)[Asia-Pacific \(APNIC\)](#)[Africa \(AfriNIC\)](#)[Latin America/Carib. \(LACNIC\)](#)[Subnet Calculator](#)

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Country Code (2-letter) domains:

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included.

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an IBM Company

209.141.39.215 is from United States (US) in region North America

Input: 209.141.39.215

canonical name: .

TraceRoute from Network-Tools.com to 209.141.39.215 [.]

Hop	(ms)	(ms)	(ms)	IP Address	Host name
1	0	0	0	206.123.64.217	-
2	Timed out	Timed out	Timed out	-	-

EXHIBIT 9
PAGE 3 OF 3

3	Timed out	Timed out	Timed out		
4	23	23	23	62.115.52.221	dls-b21-link.telia.net
5	54	56	54	213.155.134.124	las-b21-link.telia.net
6	57	55	56	62.115.38.202	voxility-ic-304820-las-bb1.c.telia.net
7	Timed out	Timed out	Timed out	-	
8	Timed out	Timed out	Timed out	-	
9	Timed out	Timed out	Timed out	-	
10	Timed out	Timed out	Timed out	-	
11	Timed out	Timed out	Timed out	-	
12	Timed out	Timed out	Timed out	-	
13	Timed out	Timed out	Timed out	-	
14	Timed out	Timed out	Timed out	-	

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Don't let them get away with it!® Let the truth be known!™

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Company Name or Report #

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Total Visits since 1998: 8,958,508,522

Estimated money Consumers saved since 1998: \$15,677,389,913.70

Reports filed: 2,079,009



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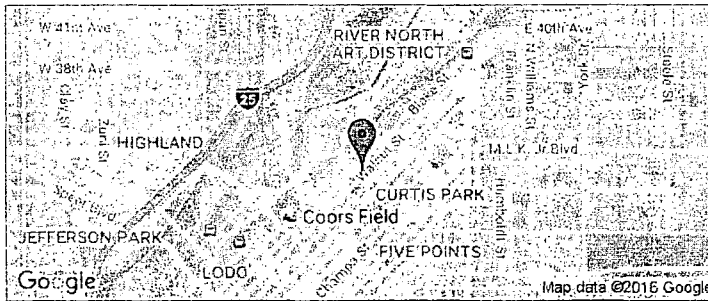
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Reported By: aggiekat — Denver ColoradoHugeDomains.com
2635 Walnut Street
Denver, Colorado
USA
Phone: 3035029124
Web: www.hugedomains.com
Category: Internet Marketing Companies

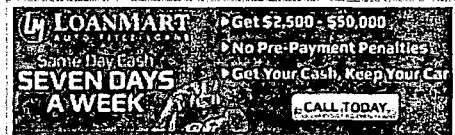
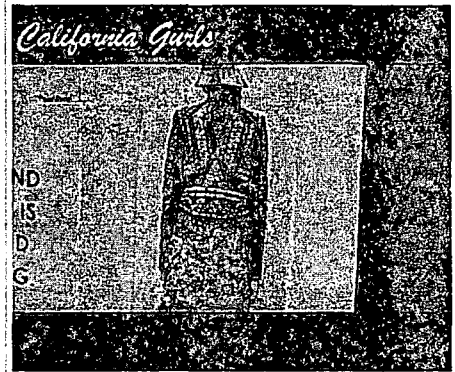
HugeDomains.com Stole domain name in violation of Anti-Cybersquatting Consumer Protection Act Denver Colorado

Consumer Comment: The reviews I read just sound like people angry that they didn't get the domain.**Consumer Comment: Huge Domains is a SCAM - They Did Same Thing to me*****Author of original report: Update*****Author of original report: Clarification**

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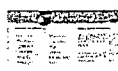


Atomic
deals.com Sent
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refused return
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EndgoTrustfor LLC Or Nitro x Total
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is a total ripoff &
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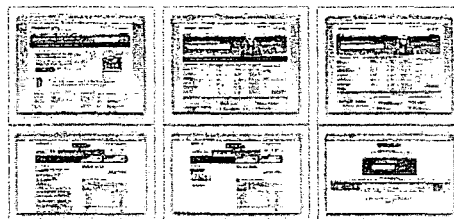
Repair Your Reputation



I found that a domain name that I've been watching for several years was coming up again for renewal, and as I do each year, I watched to see if it would be renewed. It wasn't. I tried calling GoDaddy, the registrar of my other domain names, and also the registrar of the woman who previously had the domain. Both were very evasive about when the domain would go back into the registry. There were estimates of 30 days, then 90 days, but someone referred me to a website, FreeWho.com to see when it would expire. The estimate was May 23rd. I waited patiently. On the afternoon of May 22nd, I called the registrar again to see WHEN it would be available. They told me "midnight." I asked what time zone, they couldn't tell me. I tried registering the name up until midnight MST, but it never came available.

The following morning, when I woke up, the domain was taken. (continued below)....

Report Attachments:



..... At first it showed being registered to a person named Andrew Reberry, under NameBright, in Denver, CO. I tried calling the company and got no answer, and sent this person two emails asking what was going on. I never received a call back or any email response.

The domain name was MY NAME. Not something common at all.

As I waited patiently for a reply, I found that the domain had been transferred to HugeDomains.com, and now had a price tag of \$1595. Ridiculous. I also saw that when I went to their site, they were "featuring" my domain name as a "hot property" and "shopping" it for several different categories. Careers, Trucks, Radio, Crafts...every time I refreshed, a different category would come up. I could tell from the refresh on the page that they were able to tell I was checking, because you can see another domain appear first in a flash, then my domain shows.

A couple of days later, they raised the price to \$1695. I can only assume because I was refreshing so much.

I learned that there is a law that was passed in 1999...the federal Anti-Cybersquatting Consumer Protection Act. It states "The Anticybersquatting Consumer Protection Act (ACPA), 15 U.S.C. § 1125(d), is an American law enacted in 1999 and that established a cause of action for registering, trafficking in, or using a domain name confusingly similar to, or dilutive of, a trademark or personal name. The law was designed to thwart "cybersquatters" who register Internet domain names containing trademarks with no intention of creating a legitimate web site, but instead plan to sell the domain name to the trademark owner or a third party."

ACPA covers "registering, trafficking in, or using a domain name with bad faith intent to profit from the goodwill of a trademark belonging to someone else. The cybersquatter then offers to sell the domain to the person or company who owns a trademark contained within the name at an inflated price."

EXHIBIT

PAGE 2 OF 11

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LEGAL DIRECTORY



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PAGE 3 OF 4

Online report access.com Online car
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Envy Ivy
Boutique I
purchased a
trench coat
from this "online
boutique" in
February. It is
July and I have yet to receive the
product. I have emailed...

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Mattress &
Beds - Owner
Scott Holliday
Overstock
Mattress &
Beds is a scam, they
misrepresented, lied, and failed to
honor the warranty they...

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Animas -
Dexcom G4
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A Mouse will
stop a Trane Air
Conditioner
Nationwide Nationwide

This company has no interest in this domain name, except to make a profit by selling back. And if cybersquatting is illegal, then this company that likes to boast that they have 350,000 "premium" domain names for sale is a legal company WHY? If you look at the BBB complaints in Denver, the company responds to complaints in a very snarky way...in one response they say that the complainant "doesn't understand" the "secondary domain name" market.

The only way to do anything about this is to file a complaint with the ICANN, but you have to agree to mediation that starts at \$1500. The domain name is (now) \$1695. So if someone wanted the domain name badly, why would they file a complaint when they can spend a couple of hundred bucks more and avoid the hassle?

This is WRONG. It's illegal, it's unethical, and it's time that someone do something. HugeDomains, you are NOT above the law.

This report was posted on Ripoff Report on 06/13/2013 07:51 PM and is a permanent record located here: <http://www.ripoffreport.com/r/HugeDomainscom/Denver-Colorado-80205/HugeDomainscom-Stole-domain-name-in-violation-of-Anti-Cybersquatting-Consumer-Protection-1059016>. The posting time indicated is Arizona local time. Arizona does not observe daylight savings so the post time may be Mountain or Pacific depending on the time of year.

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REBUTTALS & REPLIES:

Updates & Rebuttals

2 2 0
Author Consumer Employee/Owner

#1 Consumer Comment

The reviews I read just sound like people angry that they didn't get the domain.

AUTHOR: denns25 - ()

SUBMITTED: Monday, July 07, 2014

HugeDomains.com helped me procure a domain that has been lost for several years. They did a great job at snagging the lost domain and selling it for a reasonable price. The reviews I read about them on the internet seem like they come from people who are more just mad that they didn't get the domain they wanted. Most of you people need to learn what cybersquatting really is, and you also need to know whether you really have rights to the intellectual property that you think is yours.

Respond to this report!

[File a Rebuttal](#)

#2 Consumer Comment

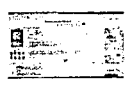
Huge Domains is a SCAM - They Did Same Thing to me


EXHIBIT


PAGE 4


AUTHOR: MDA - ()


SUBMITTED: Saturday, May 03, 2014

 Dominique Legault
Thérèse Warning
Unethical Pug Breeder Gatineau Quebec Sells Sick Puppies Gatineau Quebec

 US Business Funding Verified TRUSTED BUSINESS
REVIEW: US Business Funding clients feel secure when doing business with us because we are not focused a...


 Certified Forensic Loan Auditors "CFLA" TRUSTED BUSINESS
REVIEW: Commitment to CFLA's executive team and employees are committed to customer satisfaction...


 National Tax Experts TRUSTED EXPERTS REVIEW
Experts' executive team, employees dedicated to 100% customer satisfaction. National Tax Experts...


 Loan Source Mark Smith
Mark got me to send \$350usd twice and \$320usd and told everything is fine u will receive ur Loan now it's ur file is to old send...

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HugeDomains.com just trolls domains that expire and buys them that might have websites on them. Then list for sale for \$1500. It is a joke and they hope that someone just forgot to renew it and they can make that \$1500. It is cybersquatting and i feel we should start a class action lawsuit against them. I will put it online and let you know where the petition is when I do.

Respond to this report!

File a Rebuttal

#3 Author of original report

Update

AUTHOR: agglekat - ()

SUBMITTED: Thursday, October 31, 2013

In order to prevent a lengthy and costly lawsuit, I have withdrawn my small claims lawsuit and purchased the domain from HugeDomains.

Respond to this report!

File a Rebuttal

#4 Author of original report

Clarification

AUTHOR: scammedgirl - ()

SUBMITTED: Saturday, July 13, 2013

I have been contacted by a lawyer representing HugeDomains.com, after receiving certified mail this afternoon, Saturday, July 13th, 2013.

I would like to post this update.

The title of my complaint, "HugeDomains.com Stole domain name in violation of Anti-Cybersquatting Consumer Protection Act" accuses HugeDomains.com of stealing a domain name.

I have filed a complaint in small claims court regarding "theft of intellectual property," which alleges that HugeDomains is infringing on my trademark.

I tried to contact HugeDomains on several occasions to discuss their intentions with the domain name in question, and I never received any response. I contacted them by email, phone, and fax.

Although I believe that HugeDomains is violating my rights in what they've done, I am in contact with RipoffReport about taking the complaint down pending the results of the case.

Respond to this report!

File a Rebuttal

Report & Rebuttal

Respond to this report!

File a Rebuttal

Also a victim?

File a Report

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Get Started

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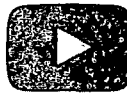
~~41~~ 1 OF 15

REAL FUTURE 1 (<http://fusion.net/2016/01/>)/12 (<http://fusion.net/2016/01/12/>)/16 (<http://fusion.net/2016/>) 3:50 PM

At home with a revenge porn mogul

By Kevin Roose (<http://fusion.net/author/kevin-roose/>)

Real Future: At Home with a Revenge Porn Mogul (Episode 1)



At home with a revenge porn mogul

PAGE

$$\frac{2}{15}$$

ComplaintsBureau. His vision was to build a kind of anonymous Better Business Bureau, where customers who had been scammed or ripped off could blow the whistle on predatory businesses.

Breitenstein's ComplaintsBureau was a bare-bones site, but it had something the Better Business Bureau didn't have: excellent search engine optimization, which often placed ComplaintsBureau's posts on the first page of Google results for a given business. Customers searching for that business's website would find a ComplaintsBureau post instead, and would often be scared off before their first purchase.

"I liked it because it could put the bad guy out of business," Breitenstein said. "Everybody saw how powerful it was."



Trevor Worley

Scott Breitenstein in his backyard

In the first years of its existence, ComplaintsBureau's users inveighed against large corporations like Best Buy, Samsung, and United Airlines, along with local businesses like car dealerships ("sold me a piece of junk!" reads one complaint) and hospitals ("I was treated like dirt at the Emergency room"). Their complaints were largely unverifiable, frequently profane and of-

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ten personal, singling out individual employees by name. Unlike sites like TripAdvisor or Yelp, Breitenstein didn't allow business owners to respond to the complaints made against them, even if they were false or defamatory.

"Everybody saw how powerful it was."

These complaints carried real weight, thanks to Breitenstein's SEO work. "One illegitimate complaint ruined a whole quarter," Susan DiMezza, a Pennsylvania fashion boutique owner, told CBS News in 2011 (<http://www.cbsnews.com/news/how-one-nasty-online-complaint-hurt-my-business/>), whose sales dropped by 75% after a disgruntled tenant in a real estate dispute posted a negative review of her business on Scamfound.com, another Breitenstein-owned website.

Predictably, businesses hated ComplaintsBureau, and Breitenstein was soon deluged with takedown requests. He ignored them all. In his mind, bowing to pressure from businesses would create an unfair playing field, and throw all of the site's complaints into question. To avoid these headaches, he created a firm no-takedown policy. Once a complaint had been posted, he vowed it would stay.

"If we put on there that we'll take things down, then everybody will start saying, '*That ain't true, that ain't true*,'" he said. "And then why have a complaints site?"

Several years ago, ComplaintsBureau received a more lurid kind of complaint: a user posted nude photos to the site, of someone the user said was his cheating ex-girlfriend.

Breitenstein, who operated a small fleet of scummy websites in addition to ComplaintsBureau, was no stranger to cheating allegations. Among his sites were ReportMyEx.com and CheatersRUs.com—both sites where jilted lovers could go to name and shame their exes.

But those sites allowed only text complaints. Photos were a different thing altogether. And days after the revenge porn post went up on ComplaintsBureau, he noticed that the traffic to the post was dwarfing everything else on the site. The size of his monthly payments from

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Google AdSense, a program that allows site owners to place pay-per-click advertising modules on their site, ballooned from \$200 a month to more than \$1,200.

"When I started seeing the money come in, I was like, '*Wow, I don't even have to work anymore,*' Breitenstein said.

Unbeknownst to him, Breitenstein had lucked into a booming business. The prevalence of nude photos, especially among younger people (44% of teens have sent or received a sexually explicit text, according to the Pew Research Center (<http://www.pewinternet.org/2014/02/11/main-report-30/>)) and the rise of amateur porn sites has created a robust market for stolen nudes. One notorious revenge porn site, IsAnyoneUp.com, reportedly racked up 30 million views a month at its peak.

In the past several years, dozens of states (<http://www.endrevengeporn.org/revenge-porn-laws/>) have passed laws making it illegal to post revenge porn. But *hosting* a revenge porn website is still technically legal, thanks to Section 230 of the Communications Decency Act of 1996, which shields websites from liability for content published by their users. (It's the same law that protects Facebook from being sued when one of its users posts something obscene or copyrighted.)

Still, the revenge porn business has gotten harder in recent years, thanks to the work of advocacy groups and the support of large tech companies. Over the last year, Facebook, Twitter, Instagram, Reddit and other social networks have expressly prohibited (<http://fusion.net/story/102264/twitter-bans-revenge-porn/>) revenge porn, and Google and other search engines have instituted removal policies that allow victims to get their non-consensual nudes de-listed. Most of the big revenge porn sites have been shut down, either by hosting providers or due to an operator's legal troubles. (Hunter Moore, the founder of IsAnyoneUp.com, was recently sentenced (<https://www.washingtonpost.com/news/the-intersect/wp/2015/12/03/revenge-porn-purveyor-hunter-moore-is-sentenced-to-prison/>) to 2.5 years in federal prison on hacking conspiracy charges related to the site.)



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Search Company Or Product

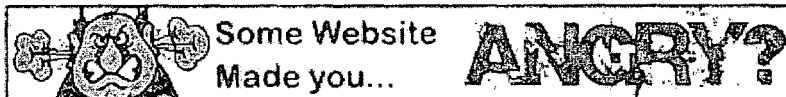
SEARCH

Home | Top Complaints | Contact Us | Open Ticket

Log In Or Register

Complaints Categories

Airline
Auto & Motorcycles
Banks
Building Construction
Contractors
Flooring Installation
Food
Window & Door Installation
Real Estate & Finance
Equipment Leasing & Financing
Sewer
Scam & Fake Checks
Collection Agencies
Tax Services
Bad Business Partners
Credit Cards



JeisiPuppyFarm

Puppy Mill

Posted: 2 Jan 2016 by

I also purchased my Frenchton from Jeisi few years ago (before I knew about the workings of the puppy mill industry) - she has been healthy but admittedly hard to potty train (but the breed is notorious for that). What I'm concerned about is that they had 110 adult dogs in 2010 and 76 in 2011 according to USDA, and then oddly in 2014 only have 28 dogs. Where did they all go? The questions I would have for this cruelest kennel/puppy mill is...how many times are they breeding the moms (every...)

Category: Dog Breeders

Country: United States

(0) Replies

Avangate, Inc.

Fraud, extortion

Posted: 1 Jul 2016 by

Unauthorized charge of \$59.51 on 12/28/2015 after I explicitly refused to authorize any further charges. Later the same day I received harassing phone calls from avangate trying to coerce me into changing my decision.

Category: Unauthorized Charges

Country: United States

(0) Replies

SUBMIT COMPLAINT



Latest Complaints

Puppy Mill

Scam

Fraud, extortion

Monthly Charge of \$14.95

Misleading check not problem

Pay \$10.00 per month although I cancelled it directly.

Booking and Deposit not received by Timmy.

Bach owes me money

Imperial Banking Group

Timothy Scott

ComplaintsBureau.com homepage, on an average day

For Breitenstein, the potential reward of distributing revenge porn was worth the risks. So he created a new section of the site to house these posts, called "Revenge Lovers." And he watched the clicks roll in.

Breitenstein also devised a dastardly strategy to extract more money from revenge porn victims. Often, victims who appeared on the site would file copyright claims for their nude photos under the Digital Millennium Copyright Act, hoping to get them taken down. Breitenstein told these victims that if these DMCA takedown notices weren't followed by the rest of the DMCA complaint process—a lengthy endeavor that can involve registering a work with the U.S. Copyright Office and providing voluminous information about the photos being claimed—he would sue them for \$10,900 in "defamation" costs.

On his site, Breitenstein made this threat explicit:

Periodocally, we recieve thousands of DMCA takedown requests. Because of people not liking what they read on the site, they attempt less-than-effective ways of trying to get them removed...If you file a DMCA request, you must follow through completely to the very end of the process, otherwise, complaints bureau will file a counter notice to all major search engines and hosts, to have it restored. We will then bill you for \$10,900.00.

As brazen as the practice of penalizing revenge porn victims for defaming *him* was, it worked; Breitenstein collected tens of thousands of dollars in settlements from terrified women, who were scared that he would report them to a collection agency if they failed to pay.

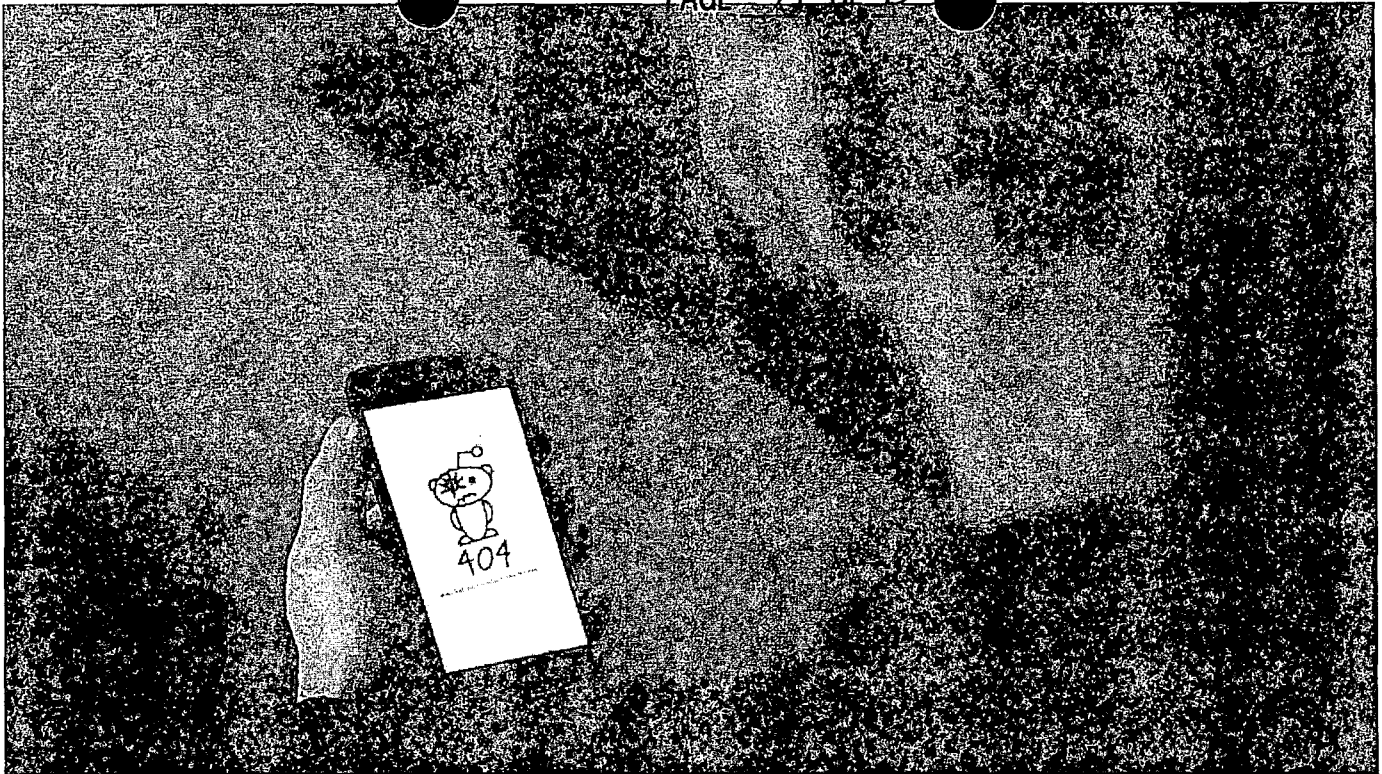
With this revenue model in place, Breitenstein was no longer just a crank with a complaints site. From his home in Dayton, he had become a revenge porn mogul—a successful bottom-feeder in the digital economy.

I first spoke to Breitenstein last year, after hearing about ComplaintsBureau and emailing him at an address listed on the site. He'd never given an interview before, and he was initially hesitant. But we spoke again and again over a period of several weeks, each time tiptoeing further into the details of his work, and eventually he began to open up. He had a craggy baritone voice that sounded like a sentient pack of Marlboros, and he spoke of his work as if he had nothing to hide.

Despite the opprobrium he'd faced, Breitenstein was proud of his work with ComplaintsBureau. He even characterized the revenge porn as an ethical form of watchdogging. If a woman had posed nude for a man in the past, he reasoned, it was a red flag that a future partner deserved to know about. In his mind, it was all protecting good people from bad people—just as it had been in the beginning, with the TV.

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Why did it take so long to ban revenge porn?

(<http://fusion.net/story/157734/revenge-porn-bans-were-long-time-coming/>)

"I'm a consumer advocate," he told me. "We're helping a lot of people."

Eventually, I asked Breitenstein if I could visit him and his family. To my surprise, he said yes. I arrived in Dayton with a camera crew a month or so later, and spent two days talking and filming with him, his family, and Preston Lawson, a moderator for his site. (You can see the video at the top of this page — it's from the first episode of our new TV series, *Real Future*, and it's a doozy.)

"I'm a consumer advocate. We're helping a lot of people."

Breitenstein lives and works at his home in East Dayton, a rough neighborhood in a city that never really recovered from the industrial collapse of the 1970s. It's not an inviting house, not least because of the **PRIVATE PROPERTY** and **BEWARE OF DOG** signs out front, and the half-dozen security cameras installed by the front door. (Scott, who claims to have been shot at once by an angry ComplaintsBureau victim, is understandably a bit paranoid.)

Despite his revenge porn earnings, Breitenstein lives in the manner of someone who is barely scraping by. His house is full of garbage and dilapidated furniture, and his office, a room off his porch, is a mildewed space with tangles of miscellaneous cords and plastic bags full of empty cigarette boxes.

Later, when I showed photographs of Breitenstein to some friends, they remarked that he looked "exactly like you'd expect." And it's true that Breitenstein's graying mullet and death metal t-shirts give him the appearance of a sketchy character. But over the course of our visit, I came to understand something about Breitenstein's psyche, and the moral framework he'd used to construct his revenge porn enterprise.

And I was as surprised as anyone when he decided to shut it all down.



Trevor Worley

Breitenstein's home, and ComplaintsBureau's headquarters. His son, Scott Jr., sits on the front steps.

Revenge porn, as a standalone internet business, dates to about 2008, when porn sites began receiving complaints of videos that had been posted without the participant's permission. The provenance of these stolen videos only made them more appealing to viewers, and soon, sites like RealExGirlfriend.com and IKnowThatGirl.com were popping up to host stolen caches of revenge porn. (The URLs of these early sites weren't an oversight—according to estimates by the Cyber Civil Rights Initiative, more than 90% of revenge porn victims are women.)

It's not easy to keep a revenge porn site online. Despite the legal protections of Section 230, most web hosting providers want nothing to do with stolen nudes; ComplaintsBureau was dropped by a number of American providers before Breitenstein moved the site to a French hosting company last year. The site is also a constant target of vigilante hacking groups, and Breitenstein claims he was attacked by Anonymous, and shut down by the Department of Homeland Security last year, after an ISIS execution video was posted on the site.

"We were ordered to take [the ISIS video] down," he said. "But we never do."

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The government isn't the only entity taking aim at Breitenstein. Adam Steinbaugh, a Los Angeles-based lawyer who specializes in revenge porn cases, believes that Breitenstein is obscuring the source of some of the site's content, some of which he claims was copied and pasted from other revenge sites, and some of which he believes Breitenstein and his friends have written pseudonymously. His hunch that Breitenstein is not, in fact, simply hosting revenge porn and other types of damaging content, but is actively creating it—which, if true, could fall outside the legal protections of Section 230.

"If he's just making it up, then he's absolutely liable for what he does, and Section 230 will not apply," Steinbaugh said.

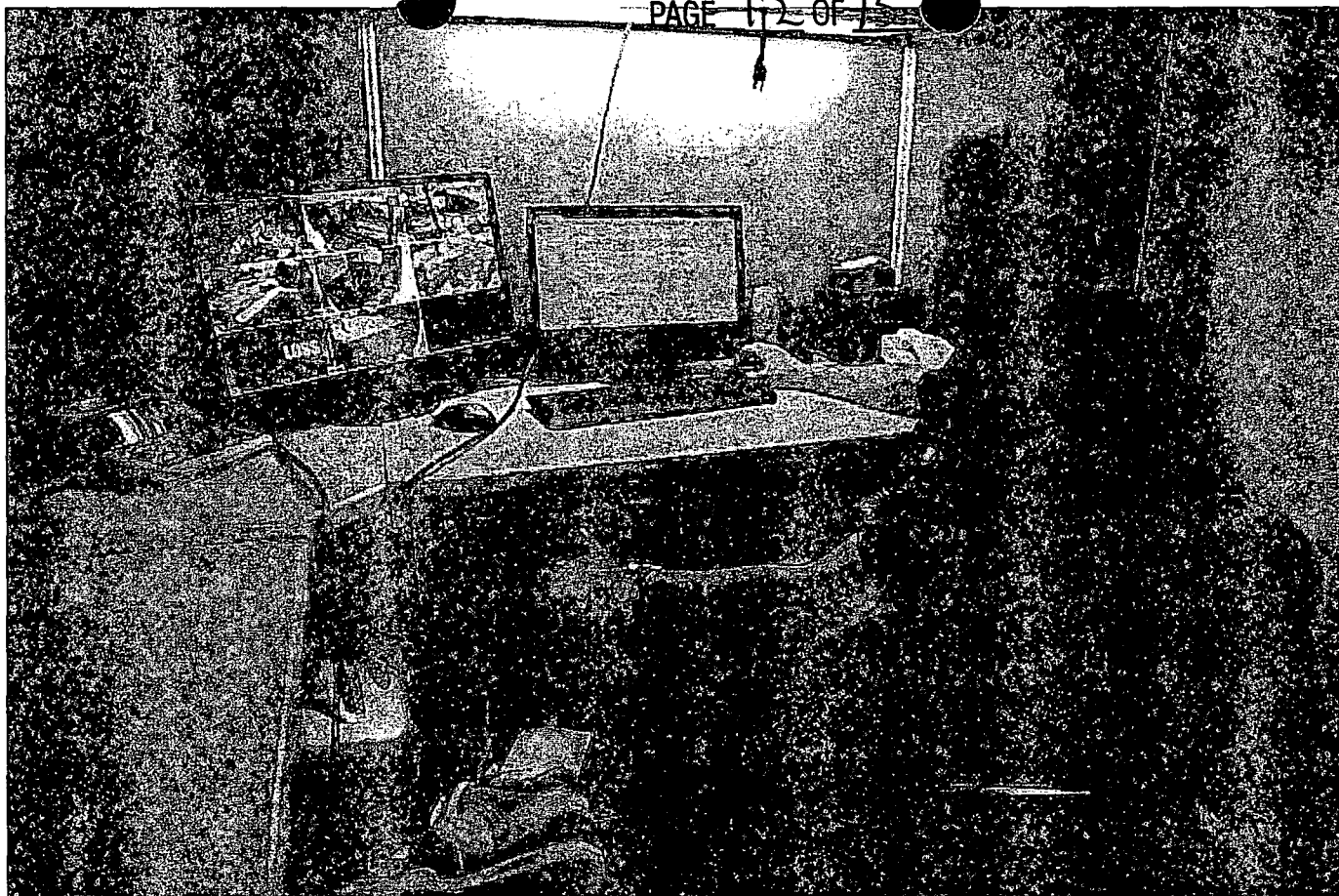
According to Steinbaugh, shortly after he threatened to write about Breitenstein's revenge porn business on Twitter, a false complaint about him appeared on ComplaintsBureau. The complaint, which has since been deleted, purported to be from Steinbaugh's ex-landlord and called him a "deadbeat tenant" with a litany of prior convictions. (Breitenstein denies ghost-writing any posts.)

Breitenstein moderates ComplaintsBureau himself, along with his friend Preston Lawson. Together, they spend their days sifting through requests from users asking to have posts taken down. And when Lawson and I sat down on Breitenstein's front stoop to talk, he appears slightly conflicted about his work with the site. He said that he often receives e-mails from women who claim that they were underage when their nude photos were taken. These photos, he said, he immediately removes from the site, despite the no-removal policy.

"I don't tolerate it," Lawson told me about the prospect of hosting child pornography. "Me being a Christian anyway, that's not right."

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Trevor Worley

Breitenstein in his Dayton, Ohio office

Breitenstein takes a tougher line. When he gets a removal request from someone claiming to be underage, he requires them to send him concrete proof of their age before he'll consider removing a post.

For Breitenstein, maintaining a hard rule on removals is part of a years-long mission to expose cheaters and scammers. This quest, though, has real, grave consequences for people—consequences I'm not entirely sure Breitenstein fully understands. While talking in his office, he told me about a young woman whose nude photos were leaked to ComplaintsBureau by her ex-boyfriend. The woman, Breitenstein said, had attempted to get the post taken down. But ComplaintsBureau's contact form was broken, and he never received the messages. The embarrassment over her revenge porn caused the woman to spiral into a depression, and she ultimately committed suicide.

I asked Breitenstein if he regretted letting that woman's nude photos stay on ComplaintsBureau. He said that he might have taken them down, if he had known the woman was going to harm herself. But he maintained that he wasn't at fault.

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"We never received an email until it was too late, he said."

On the last day I spent with Breitenstein, I gave him a surprise.

Days before our interview, I'd asked Annmarie Chiarini, a victims services director with the Cyber Civil Rights Initiative (and a victim of revenge porn herself), to record a short video addressed directly to Breitenstein. I'd hoped that Chiarini would convey to Breitenstein exactly what made his work so harmful to the people who ended up exposed on his site. I cued up the video, passed him my MacBook, and pressed play.

"The cost you're afflicting on society goes well beyond victims," Chiarini told Breitenstein. "What you're doing may or may not be illegal, but ethically it is corrupt. Anybody who provides a home for people to become the sexual entertainment of others is a dangerous sexual predator."

She went on, outlining the legal actions that had been taken against revenge porn distributors. I watched Breitenstein's face intently as he viewed the video; and to my surprise, he didn't look angry or defensive. He sat quietly as the video ended, staring off into the distance. And then, after a minute or so of silence, he said something I hadn't expected to hear.

"You know, she might be right."

Breitenstein is not a stupid man. But his understanding of revenge porn's social fallout was puzzlingly simplistic. In all the hours we'd talked, he never expressed sympathy for women who had their nude photos posted to his site, but he also didn't express malice or ill will toward them. He just sounded like he hadn't really *thought* about it. To him, the revenge porn victims who filled his inbox with takedown requests just seemed like an administrative headache to be dealt with, not a series of people feeling real pain as a result of a crime having been committed against them. He'd never actually been face-to-face with a victim of revenge porn before.

But Chiarini's video seemed to affect him. For the rest of our time together, he had a glassy, distracted look on his face, and he kept wondering aloud if he should stop hosting revenge porn, or change his removal policy somehow to make it easier for victims to get their photos

taken down.

"A lot of people's on the site that doesn't necessarily need to be on there," he said.

As I headed home that day, I felt pretty cynical about Breitenstein's supposed enlightenment. Maybe he'd just been performing for the cameras. Maybe nothing about his site would change, and his consideration of his victims' feelings would be fleeting.

But two weeks after I returned home from Dayton, I saw that a new message had been posted to the top of the ComplaintsBureau's terms and conditions page. It read:

To all patrons and individuals, familiar with Complaints Bureau.com. The website was recently the subject of a documentary film which will air on the Fusion Network with host Kevin Roose, in a few months. We, as site operators, now fully understand the damage and negativity that "Revenge Porn" can cause. We are now removing All/Any/Every "Revenge Porn" and/or sexually related material, from the website. We are also banning it to ever be allowed, at any time, in the future. If you are caught trying to post this type of material, you will be banned immediately and permantly [sic], without notice. We are removing this material currently. It takes a considerable amount of time and effort, to remove all of it. Please, be patient with us, as there is a large amount of this type of material present on the site, currently. Slowly, but surely, though, it will all be gone.

Sure enough, within a couple of weeks, the entire "Revenge Lovers" section of ComplaintsBureau had been deleted, and its contents, which Breitenstein had spent so much time carefully optimizing, were gone. Hundreds of people who had been featured on the site had gotten their search results cleansed at last. Of course, it's too late to restore these victims' lives to normalcy, or heal the wounds caused by the crimes against them, but at least the evidence trail would be scrubbed.

Make no mistake: Breitenstein's reformation has only been partial. ComplaintsBureau is still online, and he still makes money from ReportMyEx, STDRegistry, and other sites that traffic in unsubstantiated and defamatory complaints. But his decision to remove revenge porn from

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ComplaintsBureau did have real, meaningful consequences. Breitenstein told me that his monthly ad revenue fell from \$1,200 to less than \$200 as a result of pulling down his revenge porn.

"It's the right thing to do, but it's a heck of a loss."

"If ComplaintsBureau doesn't pick up, we're going to have no choice but to close it," he told me. Removing revenge porn, he said, had been "the right thing to do, but it's a heck of a loss."

He said that his decision to remove revenge porn from the site had been a direct result of Chiarini's video, which caused him to think about revenge porn from the perspective of the people who were featured in it against their will.

"I was looking at that laptop, and [Chiarini] was asking certain questions," he told me later. "People hadn't really asked those types of questions before. And there was some stuff she said that got in my head."

Breitenstein's about-face on revenge porn isn't nearly enough to redeem his overall enterprise, or comfort his victims. But it's an unexpected result of a story that began as an attempt to interview someone I thought would be incapable of empathy. And it's enough to make even a cynic believe that change might be possible, even for the internet's worst villains.

This story was adapted from Episode 1 of Real Future, Fusion's new 16-part documentary series about technology and society. To be notified about new episodes, subscribe to the Real Future newsletter below.

Enter your email address

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EXHIBIT

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JOIN/APPLY

CONTACT

ABOUT & EVENTS

BUSINESS LOGIN

ESPAÑOL

BBB SCAM TRACKER

Dayton and the Miami Valley

☒ Name
 ☐ Category

Clear Location

Search by: Business Name, URL, Phone, Email

Enter a valid location

Filter: Businesses and Charities

Source: Site

Distance: Off

☐ BBB Accredited Only

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FOR BUSINESSES

BBB BUSINESS REVIEW

What is a BBB Business Review?

THIS BUSINESS IS NOT BBB ACCREDITED

ComplaintsBureau.com

(937) 660-7343

 29 Bidleman St, Dayton, OH 45410-1917
 www.exposeascam.com
[View Additional Web Addresses](#)
 On a scale of A+ to F
 Reason for Rating
 BBB Ratings System Overview

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BBB Accreditation

ComplaintsBureau.com is not BBB Accredited.

Businesses are under no obligation to seek BBB accreditation, and some businesses are not accredited because they have not sought BBB accreditation.

To be accredited by BBB, a business must apply for accreditation and BBB must determine that the business meets BBB accreditation standards, which include a commitment to make a good faith effort to resolve any consumer complaints. BBB Accredited Businesses must pay a fee for accreditation review/monitoring and for support of BBB services to the public.

Reason for Rating

BBB rating is based on 13 factors. Get the details about the factors considered.

Factors that *raised* ComplaintsBureau.com's rating include:

- Length of time business has been operating.
- Complaint volume filed with BBB for business of this size.
- Response to 1 complaint(s) filed against business.
- Resolution of complaint(s) filed against business.

Customer Complaints Summary

[Read complaint details](#)

1 complaint closed with BBB in last 3 years | 0 closed in last 12 months

Complaint Type	Total Closed Complaints
Billing / Collection Issues	1
Advertising / Sales Issues	0
Problems with Product / Service	0

Delivery Issues	0
Guarantee / Warranty Issues	0
Total Closed Complaints	1

Customer Reviews Summary

[Read customer reviews](#)

0 Customer Reviews Customer Reviews on ComplaintsBureau.com

Customer Experience	Total Customer Reviews
Positive Experience	0
Neutral Experience	0
Negative Experience	0
Total Customer Reviews	0 Customer Reviews

Government Actions

BBB knows of no government actions involving the marketplace conduct of ComplaintsBureau.com.

What government actions does BBB report on?

Advertising Review

BBB has nothing to report concerning ComplaintsBureau.com's advertising at this time.

What is BBB Advertising Review?

Additional Information

BBB file opened: 07/25/2012

Contact Information

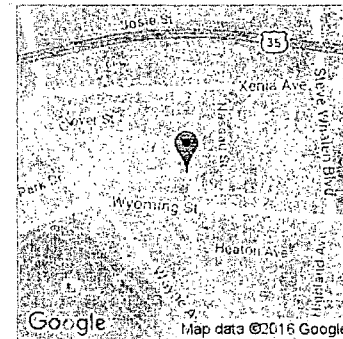
Principal: Mr. Scott Allen Breitenstein (Owner)

Business Category

Internet Services

Alternate Business Names

Hide My Domains, LLC, Complaints Bureau



As a matter of policy, BBB does not endorse any product, service or business.

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OF



Company or Product Name

[HOME](#)[SCAMS](#)[CONTACT US](#)[SUBMIT COMPLAINT](#)

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Been Scammed?

Michael Aaron Snow, Colorado

Posted: February 9, 2010 by Scam Report

He Lying, cheating bastard...ask him how many STD's he's had. Hint, more than 3 STDs and less than 20 STDs, some pretty nasty ones that he does not know where he got them. Will fuck anything that moves and wreaks.



This post has been viewed 850,339 times

Posted in [STD Carriers](#)

[United States](#)

Warning: This report was posted on ScamBoard on 02/9/2010 04:08 AM Report No 0000944 ScamBoard has an exclusive license to this report. It may not be copied without the written permission of ScamBoard. ScamBoard, any use or copying is unauthorized. DMCA complaints will be filed with your web host, domain name provider, and all major search engines Google.com, Yahoo.com, Bing.com, if you choose to disregard this warning.

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SECTION 2

Infringing Marks and Articles

*“it can take anywhere from 6 months to 12 months
or more” - Scott Breitenstein*

EXHIBIT

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Home > Screenshot History > Stdregistry.com

Stdregistry.com Screenshot History















stdreg
Example

stdregistry.com | 2016-04-21

STDRegistry
Report the truth before it's too late!

Search STD Carrier Here... **SEARCH**

HOME | STD CARRIERS | CONTACT | FAQ | REPORT STD CARRIER | TERMS OF USE

Connect With              

REMOVAL POLICY

Search for Online STD and HIV Carriers!

Follow our 3 easy steps to submit a STD or HIV report on STDRegistry.com

Submit STD Carrier

Click Submit Button That's the 1st Step

Fill The Form With Report Abuse Details

That's it! You're Done. It's Quick

Submit STD Carrier
Don't worry, it's Anonymous

What we actually do

Our operations are clean and professional

STDRegistry was founded as and still is the first public early warning alert system for identifying potential sources of incurable sexually transmitted diseases (STDs). The International Sexually

Why we operate

STDRegistry actually cares

STDRegistry.com was formed in 2012, originally as a site to add the details of any STDs and HIV reports. The Original and World's Largest STD Registry Database. STD Registry Disease Control and

Newer

Transmitted Disease (STD) Registry is a database driven list of people with HIV/AIDS, Genital Herpes, HPV, Genital Warts, and Hepatitis C. Our automated content management system (CMS) utilizes the power of modern information technology to provide a real-time information storage and distribution service that is fully operational 24 hours a day 7 days a week.

Prevention Services. This site has sparked a great deal of debate some of which has been documented, people freaking out around the web and complimentary raving by people who realize that the government should have made a site like this years ago. Report the truth before it's too late!

Older

nTools

Why people trust us

Read some testimonials from our users.

My ex-husband was acting strange and distant with me and I had a feeling that he was cheating on me so when I investigated and searched his number online I found he was reported to FlushTheJolins. This along with other things I found on his phone was enough to prove that he had been cheating on me with prostitutes.

Sarah, California

Thank you for developing this website. Its so nice to see a true registry reporting site that cares about peoples health. You have enable the public to alert about others that have STDS. We've found your site and its refreshing to see honesty in reporting and editorial guidelines.

Karen A, Texas

I had a business partner who was accused of sleeping with escorts and I did not want that kind of activity associated with my business. Lucky enough I found his profile on this site doing a cell phone number search on google and I was able to confront him. This bit of information helped me keep my brand clean.

Thomas (Business Owner), New York

Don't be afraid, we can help you!

We are here to help you. Submit a STD or HIV Carrier with as accurate of details as possible to publicize their information.

Submit STD Carrier
Don't worry it's Anonymous

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Image Supplied By DomainTools.com

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Search STD Carrier Here

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[STD CARRIERS](#)

[CONTACT US](#)

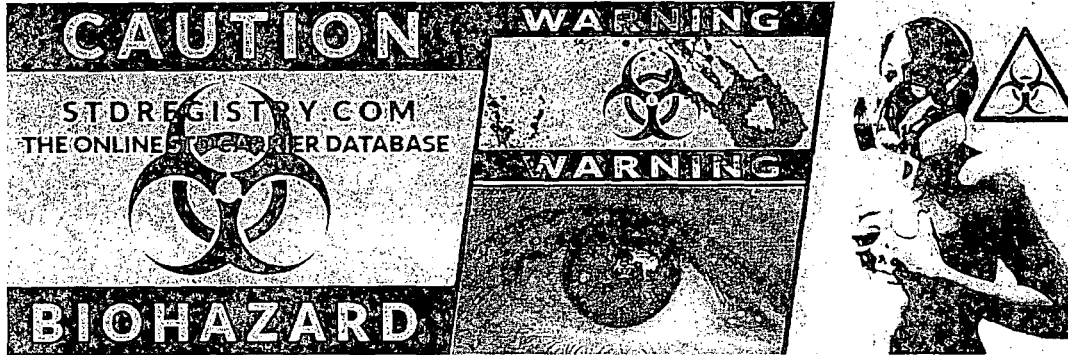
[FAQ](#)

[REPORT STD CARRIER](#)

[TERMS OF USE](#)

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 Login



Removal Policy

Removal Policy

Q: Someone Posted False Information About Me, What Do I Do?

We are neither judge, nor jury. We do not take sides on any matters that are discussed within this website. If you feel that someone has submitted false information about you on STDRegistry.com, it is your responsibility to take that issue up with the submitter. ***If you can't contact the poster, see the questions below on how to resolve this issue.***

No website of this nature can verify all the posted content. US Federal Lawmakers know that 3rd party posting websites like ours have no way of vetting the users, and verifying the experiences or accusations that poster's publish on their sites. US Federal Law, CDA (Communications Decency Act) as it is written, simply says you must hold the poster's accountable for the content they publish. If you wish to dispute a post, the law says you need to confront the person who made the post. We have nothing to do with it, and we stay out of your disputes.

We do not remove reports, comments, posts and/or topics if you ask us directly. These will not be removed even if the statements are claimed to contain defamatory allegations. Only the submitter or an arbitration service can remove a post here.

Here is our reasoning behind this policy:

- Censorship is too common in many countries as it is. We will not promote censorship on the internet.
- People have a right to research an individual before interacting with them. By removing a report, comment, post and/or topic, we are hindering that right of the individual that is researching an individual.
- If an individual rectifies a report, comment, post and/or topic, then let it be shown in the report, comment, post

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and/or topic. By removing it, we only "hide" possible patterns that by the individual and potentially allow more damage to be done. Our purpose is to prevent people from being taken advantage of by individuals whom constantly make unethical decisions. .

- If we remove reports, comments, posts and/or topics, then individuals will be aware that if they apply the right amount of pressure to the individuals whom have provided our users with this information they may have a chance at getting the report, comment, post and/or topic removed. This is not an ethical way of solving the problem.
- By not allowing the removal reports, comments, posts and/or topics we take away the leverage that a reported individual has against threats towards a person who posts. You cannot threaten someone to do something that they do not have the ability to achieve.

Q: I am a Victim of a Post and I cannot contact the poster. What should I do?

If you are the victim of a post and don't agree with what has been posted about you AND you cannot contact the poster, you can make use of an independent 3rd party service to challenge the post. However this does not mean that the post will be removed. Only upon a successful challenge, the post will be removed if deemed maliciously motivated and unsubstantiated.

A valid 3rd-party arbitration service provides a neutral service to determine the validity of internet postings. STDRegistry.com is not affiliated with any arbitration services, its owners or subsidiaries.

For more information please visit the sites below:

-
1. RemoveNames.com
 2. RemoveMyName.com
 3. defamed.com
-

Q: Isn't it wrong to post a guy's info publicly like this?

That is something only you can decide, and it may depend on how long the bad guy has been bothering you, or how bad the mistreatment was when he saw you the one time. Only you can decide what to post or how much information you wish to include in your post.

Recently in April of 2012, you may have heard in the news that a female German High Jumper was being stalked and harassed for some time. Finally she had enough of it and outed the guy on her Facebook page and publicly humiliated the guy. The overall public perception and response was positive because she took control back and put the stalker in his place, and while her method of using the internet and social media was considered new and controversial, it was deemed effective and received much approval.

Using public shame has always been a strategy or tactic of communities and law enforcement, from posting various offenders names (photos too) in public space and in their community newspapers or websites. Sometimes they have even gone so far as to put photos of bad boys on bill boards in their community so commuters can see them as they drive by. The idea behind this strategy was to use public shame to make "would be" offenders think twice before they act in some mischievous way and bring shame upon themselves and their families.

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The site itself is legal to use. However, we must express the importance in removing factual in your posts. Posting false allegations can be considered defamation of character. If we find out through a court system that your posting is false it will be removed. All IP addresses are logged in posts and comments. We have the right to allow individuals to share their stories and/or opinions in the form of reports, comments, posts and/or topics on our site. This is mandated by a FEDERAL LAW, which is called the Communications Decency Act or "CDA", 47 U.S.C. § 230.

Q: I am an author of a post. How can I remove it?

If you are the **author** (*creator*) of the post, then you can send us an email to to submit a request for removal of your post.

However, we need to verify that you are the original author. In order to verify, send the removal request from the email account that was used to create the account and submit the post.

Also, in the email, include the link to the original post, we need as much information as possible regarding the post in order to remove the post in a timely fashion. Any lack of information will only delay the process making it difficult for our team to take the required action. We also encourage your donation Paypal to

****Please note that we get hundreds of messages daily for removals both (legit and forged) and that it can take anywhere up to 6 months to 12 months or more to review your case and to verify the email and information provided. Once verified we will promptly remove the listing from our database.*

***Also note that while we do remove the full post, images comments and content from the website a record of the post still remains on the server for legal reasons. Once removed however no one can see the post and search engines will not find it.*

Suspected Carriers



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HOME

STD CARRIERS

CONTACT US

FAQ

REPORT STD CARRIER

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Login



TERMS OF USE

– PLEASE READ CAREFULLY AND COMPLETELY –**– YOU ARE RESPONSIBLE FOR UNDERSTANDING AND ADHERING TO THE TERMS OF THE CONTRACT –**

STDRegistry.com TERMS OF USE

1. ACCEPTANCE OF TERMS

STDRegistry.com provides a collection of online resources, including classified ads, banner ads, and various third party services, (referred to hereafter as "the Service") subject to the following Terms of Use ("TOU"). By using the Service in any way, you are agreeing to comply with the TOU. In addition, when using particular STDRegistry.com services, you agree to abide by any applicable posted guidelines for all STDRegistry.com services, which may change from time to time. Should you object to any term or condition of the TOU, any guidelines, or any subsequent modifications thereto or become dissatisfied with STDRegistry.com in any way, your only recourse is to immediately discontinue use of STDRegistry.com. STDRegistry.com has the right, but is not obligated, to strictly enforce the TOU through self-help, active investigation, litigation and prosecution.

2. MODIFICATIONS TO THIS AGREEMENT

STDRegistry.com reserve the right, at our sole discretion, to change, modify or otherwise alter these terms and conditions at any time. Such modifications shall become effective immediately upon the posting thereof. You must review this agreement on a regular basis to keep yourself apprised of any changes. You can find the most recent version of the TOU at:

<http://www.stdregistry.com/terms-of-use/>

EXHIBIT 16
PAGE 2 OF 8**3. CONTENT**

You understand that all postings, messages, text, files, images, photos, or other materials ("Content") posted on, transmitted through, or linked from the Service, are the sole responsibility of the person from whom such Content originated. More specifically, you are entirely responsible for each individual item ("Item") of Content that you post, email or otherwise make available via the Service. You understand that STDRegistry.com does not control, and is not responsible for Content made available through the Service, and that by using the Service, you may be exposed to Content that is offensive, indecent, inaccurate, misleading, or otherwise objectionable. Furthermore, the STDRegistry.com site and Content available through the Service may contain links to other websites, which are completely independent of STDRegistry.com. STDRegistry.com makes no representation or warranty as to the accuracy, completeness or authenticity of the information contained in any such site. Your linking to any other websites is at your own risk. You agree that you must evaluate, and bear all risks associated with, the use of any Content, that you may not rely on said Content, and that under no circumstances will STDRegistry.com be liable in any way for any Content or for any loss or damage of any kind incurred as a result of the use of any Content posted, emailed or otherwise made available via the Service. You acknowledge that STDRegistry.com does not pre-screen or approve Content, but that STDRegistry.com shall have the right (but not the obligation) in its sole discretion to refuse, delete or move any Content that is available via the Service, for violating the letter or spirit of the TOU or for any other reason.

4. THIRD PARTY CONTENT, SITES, AND SERVICES

The STDRegistry.com site and Content available through the Service may contain features and functionalities that may link you or provide you with access to third party content which is completely independent of STDRegistry.com, including web sites, directories, servers, networks, systems, information and databases, applications, software, programs, products or services, and the Internet as a whole. Your interactions with organizations and/or individuals found on or through the Service, including payment and delivery of goods or services, and any other terms, conditions, warranties or representations associated with such dealings, are solely between you and such organizations and/or individuals. You should make whatever investigation you feel necessary or appropriate before proceeding with any online or offline transaction with any of these third parties.

You agree that STDRegistry.com shall not be responsible or liable for any loss or damage of any sort incurred as the result of any such dealings. If there is a dispute between participants on this site, or between users and any third party, you understand and agree that STDRegistry.com is under no obligation to become involved. In the event that you have a dispute with one or more other users, you hereby release STDRegistry.com, its officers, employees, agents and successors in rights from claims, demands and damages (actual and consequential) of every kind or nature, known or unknown, suspected and unsuspected, disclosed and undisclosed, arising out of or in any way related to such disputes and / or our service.

5. Privacy and Information Disclosure

STDRegistry.com has established a Free Speech Privacy Policy to explain to users how their information is collected and used, which is located at the following web address:

<http://www.stdregistry.com/legal/freespeech>

Your use of the STDRegistry.com website or the Service signifies acknowledgement of and agreement to our Free Speech Privacy Policy. You further acknowledge and agree that STDRegistry.com may, in its sole discretion, preserve or disclose your Content, as well as your information, such as email addresses, IP addresses, timestamps, and other user information, if required to do so by law or in the good faith belief that such preservation or disclosure is reasonably necessary to: comply with legal process; enforce the TOU; respond to claims that any Content violates the laws of the State of Oregon and/or the

United States of America and/or the rights, property, or personal safety of STDRegistry.com, its users or the general public.

6. CONDUCT

You agree not to post, email, or otherwise make available Content:

- a) That is unlawful or is harmful to minors in any way;
- b) That is pornographic or depicts a human being engaged in actual sexual conduct including but not limited to (i) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex, or (ii) bestiality, or (iii) masturbation, or (iv) sadistic or masochistic abuse, or (v) lascivious exhibition of the genitals or pubic area of any person;
- c) That impersonates any person or entity, including, but not limited to, a STDRegistry.com employee, or falsely states or otherwise misrepresents your affiliation with a person or entity.
- d) That is false, deceptive, misleading, deceitful, or misinformative.
- e) That infringes any patent, trademark, trade secret, copyright or other proprietary rights of any party, or Content that you do not have a right to make available under any law or under contractual or fiduciary relationships;
- f) That constitutes or contains any form of advertising or solicitation if: posted in areas of the STDRegistry.com site which are not designated for such purposes; or emailed to STDRegistry.com users who have not indicated in writing that it is ok to contact them about other services, products or commercial interests.
- g) That advertises any illegal service or the sale of any items the sale of which is prohibited or restricted by any applicable law, including without limitation items the sale of which is prohibited or regulated by Dutch law.
- h) That contains software viruses or any other computer code, files or programs designed to interrupt, destroy or limit the functionality of any computer software or hardware or telecommunications equipment;
- i) That disrupts the normal flow of dialogue with an excessive amount of Content (flooding attack) to the Service, or that otherwise negatively affects other users' ability to use the Service; or
- j) That employs misleading email addresses, or forged headers or otherwise manipulated identifiers in order to disguise the origin of Content transmitted through the Service.

Additionally, you agree not to:

- k) "Stalk" or harass anyone;
- l) Collect personal data about other users for unlawful purposes;
- m) Use automated means, including spiders, robots, crawlers, data mining tools, or the like to download data from the Service – unless expressly permitted by STDRegistry.com;
- n) Post irrelevant Content, repeatedly post the same or similar Content or otherwise impose an unreasonable or disproportionately large load on our infrastructure;
- o) Post the same item or service in more than one classified category.

p) Attempt to gain unauthorized access to STDRegistry.com's computer systems or engage in any activity that disrupts, diminishes the quality of, interferes with the performance of, or impairs the functionality of, the Service or the STDRegistry.com website; or

q) Use any form of automated device or computer program that enables the submission of postings on STDRegistry.com without each posting being manually entered by the author thereof (an "automated posting device"), including without limitation, the use of any such automated posting device to submit postings in bulk, or for automatic submission of postings at regular intervals.

7. NO SPAM POLICY

You understand and agree that sending unsolicited email advertisements to STDRegistry.com email addresses or through STDRegistry.com computer systems, which is expressly prohibited by these Terms, will use or cause to be used servers located in the Kingdom of the Netherlands. Any unauthorized use of STDRegistry.com computer systems is a violation of these Terms and certain federal and state laws. Such violations may subject the sender and his or her agents to civil and criminal penalties.

8. NATIONAL SECURITY POLICY

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9. PAID POSTINGS

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STDRegistry.com permits you to create a hyperlink on your website to individual postings on the Service. STDRegistry.com permits you to display on your website any portion of STDRegistry.com so long as such use is for noncommercial and/or news reporting purposes only (e.g., for use in personal web blogs or personal online media). You may also create a hyperlink to the home page of STDRegistry.com so long as the link does not portray STDRegistry.com, its employees, or its affiliates in a false, misleading, derogatory, or otherwise offensive matter. Use of the Service beyond the scope of authorized access granted to you by STDRegistry.com immediately terminates said permission or license. In order to collect, aggregate, copy, duplicate, display or make derivative use of the Service or any Content made available via the Service for other purposes (including commercial purposes) not stated herein, you must first obtain a license from STDRegistry.com.

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The TOU constitute the entire agreement between you and STDRegistry.com and govern your use of the Service, superceding any prior agreements between you and STDRegistry.com. The TOU and the relationship between you and STDRegistry.com shall be governed by the laws of the Kingdom of the Netherlands without regard to its conflict of law provisions. You and STDRegistry.com agree to submit to the personal and exclusive jurisdiction of the courts located within the Kingdom of the Netherlands. The failure of STDRegistry.com to exercise or enforce any right or provision of the TOU shall not constitute a waiver of such right or provision. If any provision of the TOU is found by a court of competent jurisdiction to be invalid, the parties nevertheless agree that the court should endeavor to give effect to the parties' intentions as reflected in the provision, and the other provisions of the TOU remain in full force and effect. You agree that regardless of any statute or law to the contrary, not to file any claim or cause of action against STDRegistry.com arising out of or related to use of the Service or the TOU.

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Please report any violations of the TOU, by contacting STDRegistry.com at <http://www.stdregistry.com/contact-us/>

Our failure to act with respect to a breach by you or others does not waive our right to act with respect to subsequent or

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similar breaches. You understand and agree that, because damages are difficult to quantify, if it becomes necessary for STDRegistry.com to pursue legal action to enforce these Terms, you will be liable to pay STDRegistry.com the following amounts as liquidated damages, which you accept as reasonable estimates of STDRegistry.com's damages for the specified breaches of these Terms:

- a. If you post a message that (1) impersonates any person or entity; (2) falsely states or otherwise misrepresents your affiliation with a person or entity, you agree to pay STDRegistry.com one thousand dollars (\$1,000) for each such message.
- b. If STDRegistry.com establishes limits on the frequency with which you may access the Service, or terminates your access to or use of the Service, you agree to pay STDRegistry.com one hundred dollars (\$100) for each message posted in excess of such limits or for each day on which you access STDRegistry.com in excess of such limits, whichever is higher.
- d. If you post Content in violation of the TOU, other than as described above, you agree to pay STDRegistry.com seven thousand five hundred dollars (\$7,500) for each Item of Content posted. In its sole discretion, STDRegistry.com may elect to issue a warning before assessing damages.
- f. If you display, copy, duplicate, reproduce, or otherwise exploit for any purpose any Content (except for your own Content) in violation of these Terms without STDRegistry.com's express written permission, you agree to pay STDRegistry.com three thousand dollars (\$3,000) for each day on which you engage in such conduct.

Otherwise, you agree to pay STDRegistry.com's actual damages, to the extent such actual damages can be reasonably calculated. Notwithstanding any other provision of these Terms, STDRegistry.com retains the right to seek the remedy of specific performance of any term contained in these Terms, or a preliminary or permanent injunction against the breach of any such term or in aid of the exercise of any power granted in these Terms, or any combination thereof.

19. Victim Compensation

If information published by you is found to be incorrect in any way not limited to and including:

- a) The intentional publishing of false information that implies that a person suffers from an incurable Sexually Transmitted Disease.
- b) The intentional publishing of false information that implies that a person has engaged in behavior that a reasonable person would believe to have occurred based on the published information and that information damages the reputation of the individual named in the publication. This section does not apply to information based on a third party publication including, but not limited to newspapers, magazines, websites, or television broadcasts where the source of the information is cited in the published information.
- c) The unintentional publishing of false information that implies that a person suffers from an incurable Sexually Transmitted Disease.
- d) The unintentional publishing of false information that implies that a person has engaged in behavior that a reasonable person would believe to have occurred based on the published information and that information damages the reputation of the individual named in the publication. This section does not apply to information based on a third party publication including, but not limited to newspapers, magazines, websites, or television broadcasts where the source of the information is cited in the published information.

If you are found to have violated this section you agree to compensate the victim a monetary amount not less than \$5,000 United States Dollars plus all legal expenses including, but not necessarily limited to attorney fees, court fees, medical expenses for any lab work performed to disprove statements made about the victim, and investigation expenses up to the

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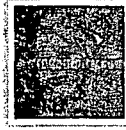
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maximum monetary amount allowed by law.

Suspected Carriers











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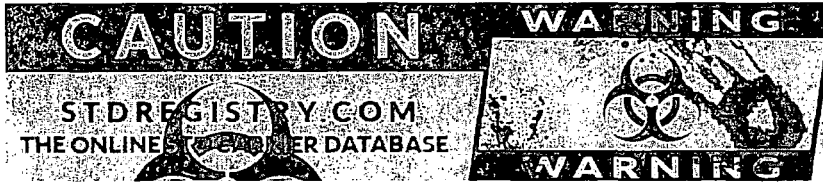
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Real consumer advice!

Voice your opinion!

Mason Wyler, Houston, Texas

Posted: March 10, 2011 by Scam Report

Self described gay sex addict and popular porn star Mason Wyler announced his HIV status after being "outed" by a gossip website dedicated to gay porn. The article got its information from a since deleted blog post that accused Wyler of spreading diseases. Wyler said he decided to come clean about his HIV status so that he could dispel the rumors about him and make it clear that he was only having sex with other HIV positive people.

When announcing his HIV status Wyler posted several memorable quotes on his blog starting with "I have HIV and it kind of sucks" and "I have not gone around fucking, barebacking, or infecting HIV negative people. I am a sex fiend. I am NOT a monster". He then made a plea to people who were accusing him of non-disclosure to stop doing so because it wasn't true.



This post has been viewed 37,018 times

Posted in STD Carriers

United States

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May 11, 2012 - STD Report
Mason Wyler, Houston, Texas

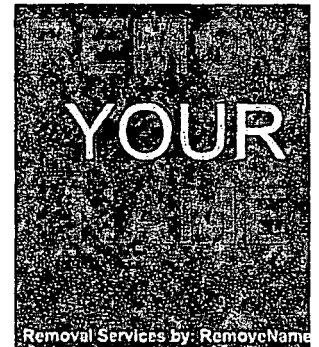
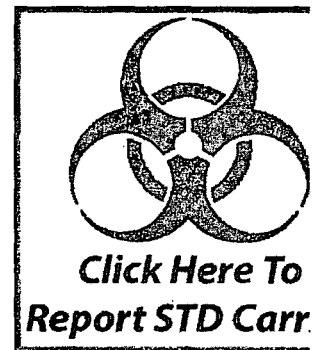


Self described gay sex addict and popular porn star Mason Wyler announced his HIV status after being "outed" by a gossip website dedicated to gay porn. The article got its information from a since deleted blog post that accused Wyler of spreading diseases. Wyler said he decided to come clean about his HIV status so that he could dispel the rumors about him and make it clear that he was only having sex with other HIV positive people. When announcing his HIV status Wyler posted several memorable quotes on his blog starting with "I have HIV and it kind of sucks" and "I have not gone around fucking, barebacking, or infecting HIV negative people. I am a sex fiend. I am NOT a monster". He then made a plea to people who were accusing him of non-disclosure to stop doing so because it wasn't true.



This post has been viewed 1,252 times

Posted in HIV/AIDS





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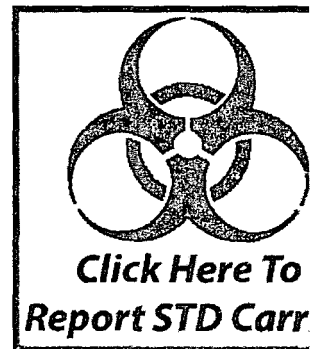
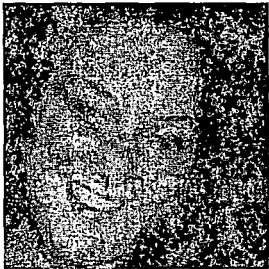
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May 18, 2012 - STD Report

Naomi Munichiello, Eugene, Oregon

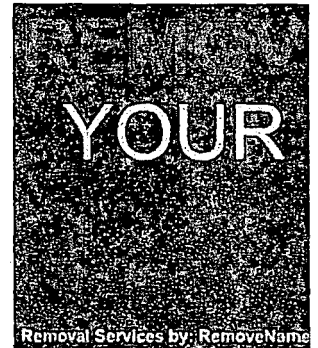


She engaged in sexual activity with a heavily intoxicated person and did not inform him that she had genital herpes prior knowledge of her condition until days later. Her behavior also contributed to the structural damage of a wooden framed futon that collapsed 2 weeks later with 3 very heavy people sitting on it. Has failed to notify a partner of her conditions prior to sexual activity



This post has been viewed 1,110 times





Posted in Genital Herpes





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June 15, 2012 - STD Report

David Lee Marks, Los Angeles, California - Hepatitis C

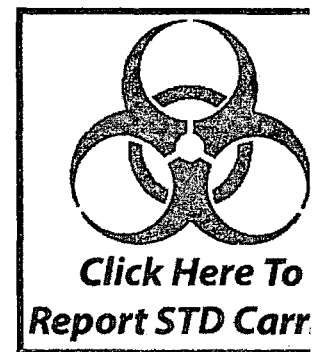


David Lee Marks is commonly thought of as the lost member of The Beach Boys because he left the band in 1963 before they released their most popular songs like "Wouldn't It Be Nice" and "I Get Around", but Marks can still be heard in "409" and "Surfin Safari". Marks joined The Beach Boys in 1962 when he was just 13 years old and moved on to start his own band called David Marks and the Marksmen. Eventually Marks and The Beach Boys got back together in 2006 and the group is considering going on tour again for their 50th anniversary.

In 1999 David Marks was diagnosed with Hepatitis C by chance when being treated for a cracked rib and the doctor ran some tests to discover elevated liver enzymes. Marks began treatment right away with anti-viral drugs like Interferon, Ribavirin, and Pegalayed as well as herbal remedies. In 2004 Marks declared that he had beaten the virus.



This post has been viewed 1,048 times





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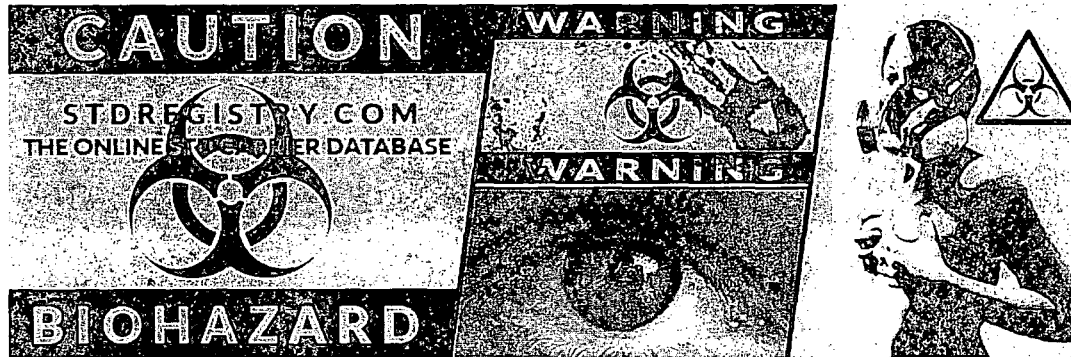
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July 27, 2012 - STD Report

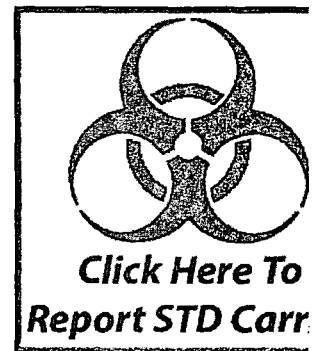
Kenny Neal, Palo Alto, California



When doctors broke the news to blues musician Kenny Neal Hepatitis C was the last thing that he needed. His father, his sister, another relative, and a band member had all died over the two years leading up to his diagnosis that required him to seek treatment instead of going on tour. It was a tough time in his life for which he credits his music for helping him get through it, but being given his own television show called "Neal's Place" didn't hurt either. In 2007 he started performing live again and continues to produce new music.



This post has been viewed 664 times

Posted in [Hepatitis C](#)



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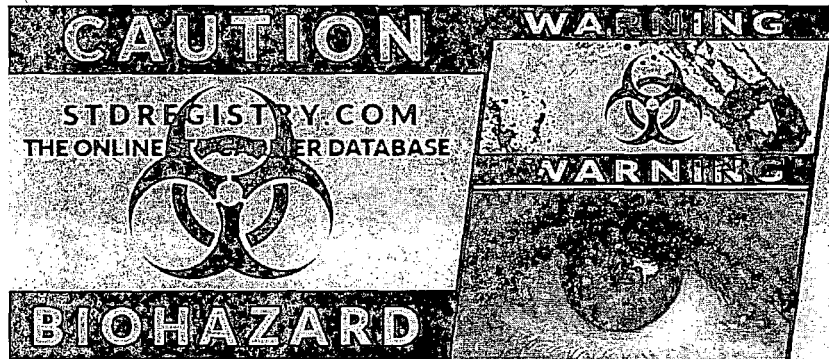
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July 27, 2012 - STD Report

Nik Cohn, New Orleans, Louisiana

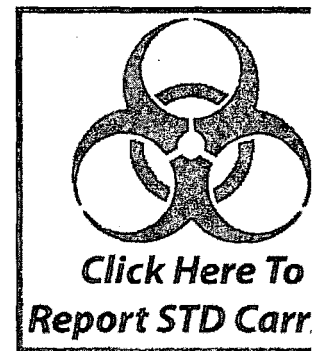


Nik Cohn is a British writer with Hepatitis C who is best known for writing the article that was the basis for the 1977 movie Saturday Night Fever starring John Travolta. His Hepatitis status was to blame for a series of health problems in the late 1990s, but he appears to have moved on well. Today he promotes the work of hip hop groups in New Orleans and before that he was a columnist for The Guardian for several years. In 1975 he wrote an article for New York Magazine called "Tribal Rites of the New Saturday Night" that originally was published as a true story about the disco scene in New York during the early 70s, but the article was actually a complete fabrication inspired by people he knew in England. By the time he admitted the fraud it had been 20 years since the release of Saturday Night Fever made John Travolta a star.



This post has been viewed 599 times

Posted in [Hepatitis C](#)





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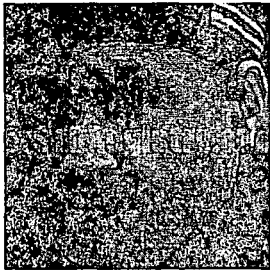
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July 27, 2012 - STD Report

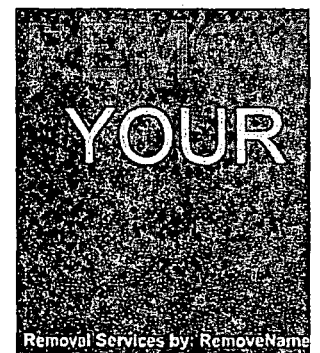
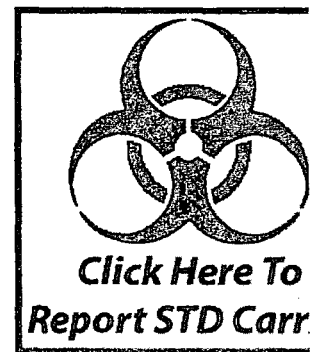
Stanley Greene, New York, New York



Photojournalist Stanley Greene announced in 2008 that he contracted Hepatitis C from a contaminated Razor in Chad the previous year and claimed to have the deadly disease under control with medication. Hepatitis is just the latest in a long string of incidents that have put his life in danger since the 1980s most of which he encountered on the job working as war photographer. Greene's photography work began getting noticed in 1989. It was then that he and fellow STD carrier David Hasselhoff witnessed the fall of the Berlin Wall. After that Greene photographed the war in Chechnya, Hurricane Katrina, events in Africa, and war zones in the Middle East. In 1993 he was nearly killed in the Russian White House during a coup attempt against Russian President Boris Yeltsin. Greene was also a member of the Black Panther Party in 1971 and a member of the anti-war movement.



This post has been viewed 636 times





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July 27, 2012 • STD Report

Yohei Kono, Tokyo, Kanto, Japan – Hepatitis C



Before becoming Japan's Japanese Minister of Foreign Affairs and Speaker of the House of Representatives Yohei Kono was infected with Hepatitis C. His Hepatitis status was the subject of a New York Times article in 2002 about having to accept a liver transplant from his son Taro Kono, another notable Japanese politician over the old man's initial objections. The Hepatitis C infection was said to have been 30 years old at that time.



This post has been viewed 646 times

Posted in Hepatitis C

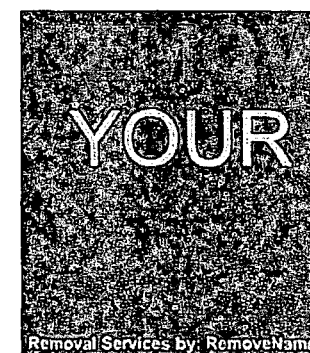
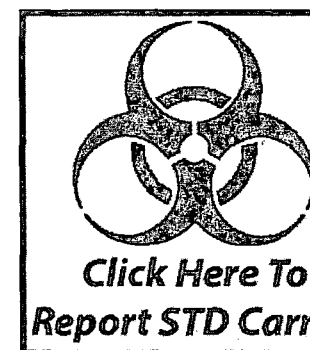




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July 27, 2012 - STD Report

Mark Brandon Read, Melbourne, Victoria, Australia

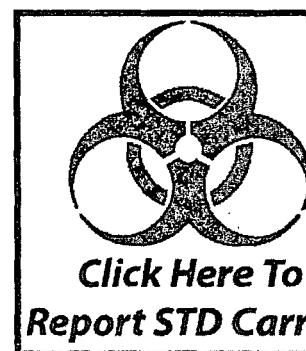


Mark Brandon "Chopper" Read is a notorious violent Aussie criminal who claims to have killed at least 19 people during his multi-decade criminal career. During that time he spent the majority of his 20s and 30s behind bars on charges of Armed Robbery, Assault, and Kidnapping during which he claims to have gotten his ears cut off, stabbed multiple times, and infected with Hepatitis C by a bloody razor. His Hepatitis C made Australian headlines in 2009 when he became seriously ill from liver failure and was given between 2 and 5 years to live, but refused a liver transplant that could save him because he didn't want to put his needs above those of a 10 year old kid.



This post has been viewed 720 times

Posted in Hepatitis C





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July 27, 2012 - STD Report

Fred Hersch, New York, New York



Fred Hersch is a famous American jazz musician who has been HIV positive since 1986 and has been spokesperson for AIDS ever since. At the time of his diagnosis there were only a handful of openly gay jazz musicians and fewer openly HIV positive ones. He had just been nominated for a Grammy and feared that coming out would ruin his career, but did it anyway. His career has been getting better ever since.



This post has been viewed 599 times

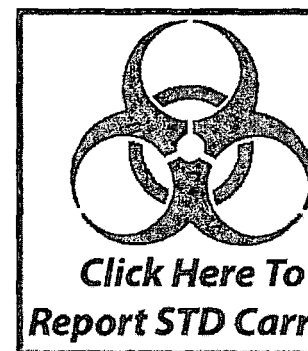
Posted in [HIV/AIDS](#)



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July 27, 2012 - STD Report

Ryuhei Kawada, Tokyo, Kanto, Japan – HIV and AIDS

When he was just 10 years old Japanese Parliament member Ryuhei Kawada had a bombshell of information dropped on him that he was probably too young to understand. It was then that his mother informed him of his HIV status, but not due to any type of perverted family matters. Ryuhei had been the victim of contaminated blood given to him at a hospital while he was undergoing treatment for hemophilia, a condition that causes someones blood to have more difficulty clotting and the usual result is a substantial increase in blood loss from normally far less serious injuries. In 1993 Ryuhei joined a historic class action lawsuit against five pharmaceutical companies in which they were found guilty of supplying medical facilities with unsterilized blood. It during the lawsuit that he first became famous in Japan for having the guts to out himself and become a public icon for the Tokyo HIV Litigation.



This post has been viewed 587 times

Posted in [HIV/AIDS](#)

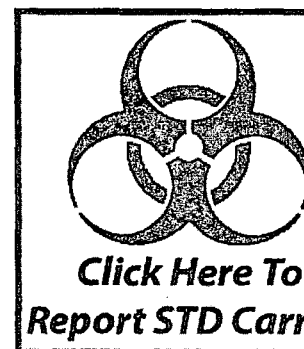




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July 27, 2012 - STD Report

Vasily Aleksanyan, Moscow, Central FD, Russia - HIV and AIDS

Images of former Yukos Oil Company Executive Vice President and Moscow inmate Vasily Georgievich Aleksanyan shocked many when he appeared in court suffering from advanced AIDS and cancer. Aleksanyan had been arrested back in 2006 on charges of tax evasion, money laundering, and embezzlement before being held in jail for several years without a conviction. He was eventually released on bail for \$50 million rubles in late 2009 before the charges were eventually dropped in June of 2010 because prosecutors failed to convict him before the statute of limitations expired. During that time period Aleksanyan always insisted that he was innocent. While in prison he became an international symbol for human rights groups who blamed the Russian government for failing to treat his AIDS and related cancers. Most believed that Aleksanyan would die in prison before ever reaching trial and consider him lucky to be alive.



This post has been viewed 580 times

Posted in [HIV/AIDS](#)

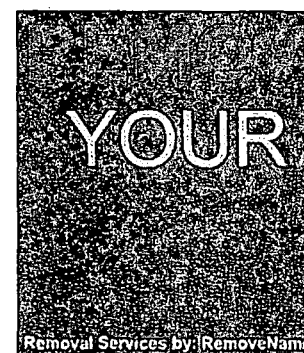
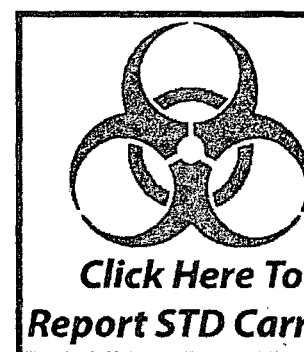




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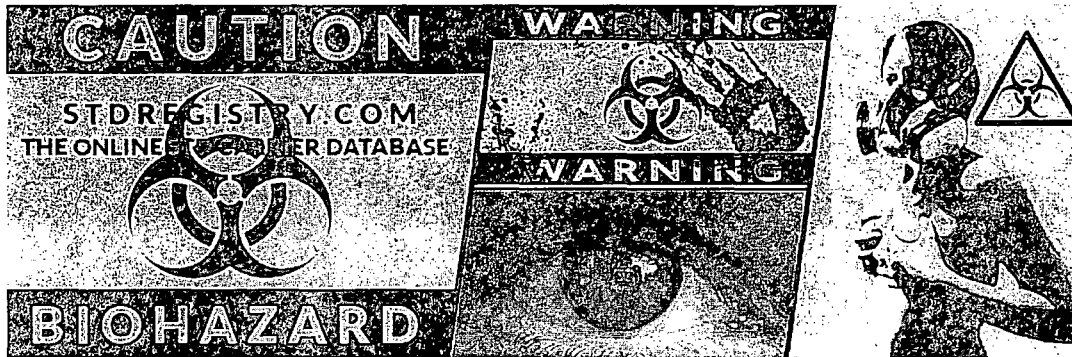
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July 27, 2012 - STD Report

Andrew Sullivan, Washington, DC



Andrew Sullivan has been taking a Daily Dish of AIDS cocktail since 1996. The openly gay conservative columnist for The Atlantic is a self described bear is originally from England and is best known for his work with The Atlantic, but has also written for Time Magazine, has authored several books, and is a regular guest on Real Time with Bill Maher. In 2001 he was criticized by The Nation for posting an anonymous personal ad on the gay dating site BareBackCity.com describing himself as a "one stop source for *bareback sex" who was interested in "bi-scenes, one-on-ones, three-ways, groups, parties, orgies and gang bangs". The article called Sullivan irresponsible for soliciting unprotected sex while being HIV positive, but at the same time acknowledged that he was honest about his status with potential partners and never tried to infect anyone.

Bareback is a slang term among gay men for unprotected anal sex.



This post has been viewed 534 times

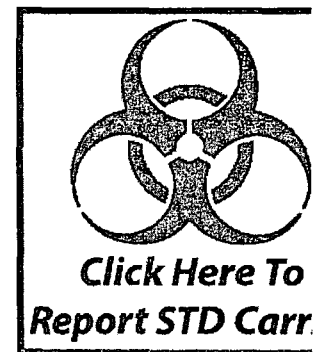




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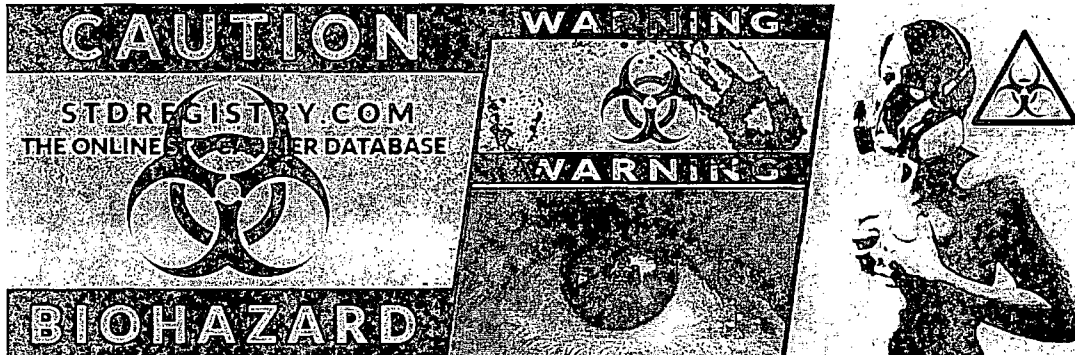
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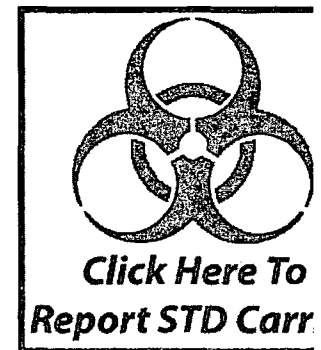
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July 28, 2012 - STD Report

Anita Pallenberg, London, Greater London, United Kingdom



Italian born actress and former model Anita Pallenberg is best known for dating Keith Richards of the Rolling Stones from 1967 into the mid to late 1970s during which she and Richards had three children together. She told the British tabloid newspaper The Guardian that she had Hepatitis C back in 2008 when discussing issues regarding her health and more specifically alcoholism. Although its not entirely clear how or when she contracted the disease she did have a very public heroin problem in the 1970s when she was known to associate with fellow former heroin using Hepatitis C sufferers Marianne Faithful and of course Keith Richards. Her addiction led to her 1977 arrest on heroin possession charges in Toronto.

In 1980 she was charged with manslaughter after a 17 year old boy shot himself in her bed back in 1979 using a gun belonging to Keith Richards. She was eventually cleared of the charge when the death was ruled a suicide.

She was rumored to have had a relationship with Mick Jager on the set of the movie Performance back in , but has denied it publicly.

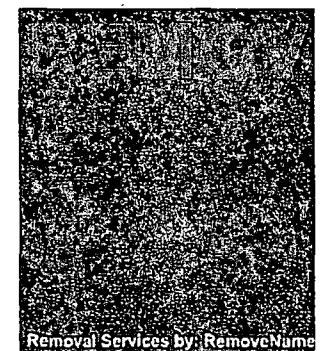




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August 19, 2012 - STD Report

Gary S. Paxton, Branson, Missouri - Hepatitis C

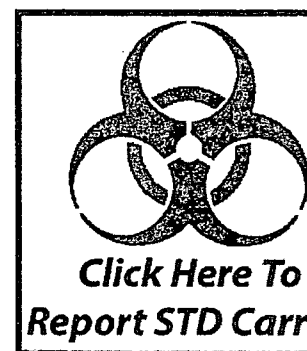


Grammy winning gospel singer Gary S. Paxton said on his website that after losing 80% of his blood due to bleeding ulcers he was rushed to the hospital and given 8 blood transfusions at least one of which was contaminated with Hepatitis C. On the same page called "Testimony" Paxton talks about the time he got shot 3 times in 1980 by a former business associate before being forced into bankruptcy by the FDIC while also praising god and discussing his history of drug use. He claims to have been committed to a mental institution twice with the first being for alcohol and the second being for drugs.



This post has been viewed 774 times

Posted in [Hepatitis C](#)



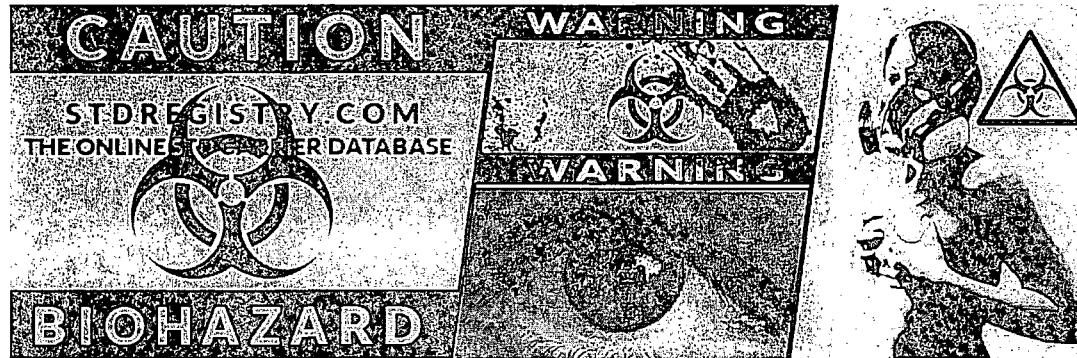


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September 10, 2012 - STD Report

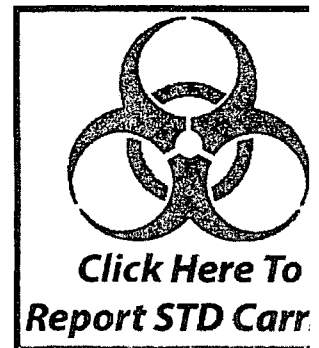
Derrick Burts, Los Angeles, California



Derrick Burts contracted HIV, Herpes, and Chlamydia after just a month on the job making gay porn under the name Derrick Chambers and straight porn under the name Cameron Reid. With Chlamydia being curable and Herpes being no big deal to most porn stars his HIV was another matter that shut down filming across the entire industry for several weeks. Porn officials blamed the infection on private personal activity at first, but Burts claimed that was impossible because before going pro the only person he had sex with was his girlfriend. Eventually porn officials changed their story stating that he got it from an oral sex scene with another male actor.



This post has been viewed 559 times

Posted in [HIV/AIDS](#)




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November 3, 2012 - STD Report

Trevis Smith, Montgomery, Alabama



Trevis Smith is a former football player for the Canadian Football League and the University of Alabama. On February 26, 2007 a Canadian court sentenced him to 5 1/2 years in prison for aggravated sexual assault for not telling his girlfriend about his HIV status. Trevis has failed to notify his partner of his conditions prior to sexual activity

<http://www.cbc.ca/canada/saskatchewan/story/2007/01/30/smith-trevis.html>



This post has been viewed 1,889 times

Posted in [STD Carriers](#)

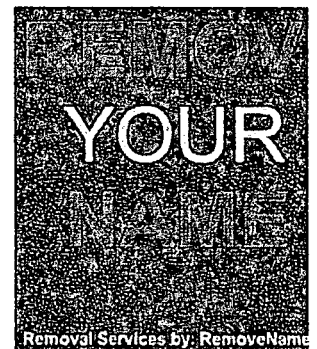
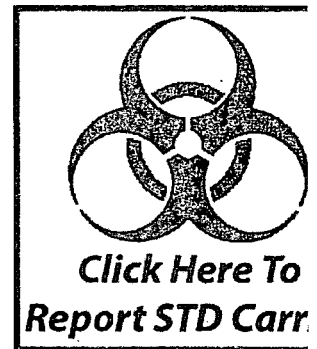




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July 29, 2014 - STD Report
Dr Thomas Quinlan, Florida

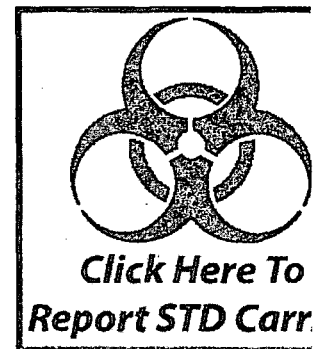


Repeat offender!!! This man is a psychologist has herpes, since he was 28 exposes people to it without their knowledge. He does not disclose STD status. If you are one of his victims please contact, 3 women have come forward and there is information for you. If you too were a victim you are not alone join us in stopping this predator. Places of origin Ohio, Atlanta, New York, Florida, Arizona, California, Colorado. He is currently being sued. His motto nobody will care if you tell them or not. A person like this needs to not practice psychology. – Dr Thomas Quinlan



This post has been viewed 5,410 times

Posted in Genital Herpes





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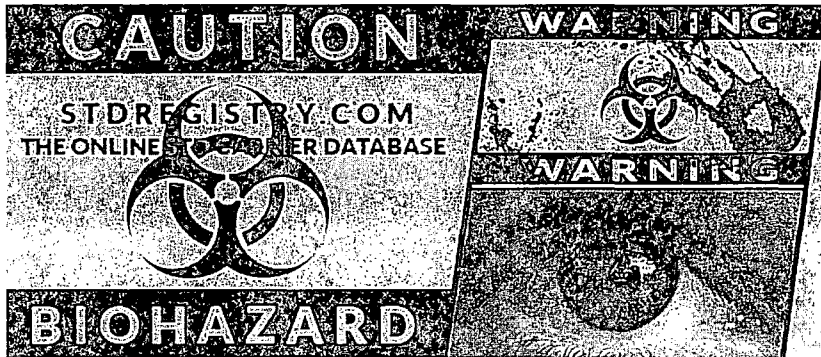
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July 25, 2015 - STD Report

Jason Alexander Young, Aiken, South Carolina - HIV and AIDS



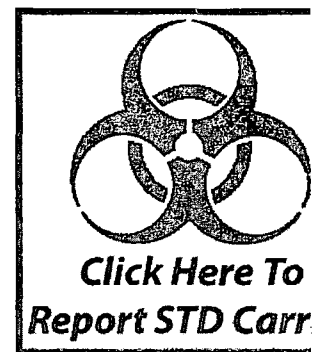
Jason Alexander Young of Aiken, South Carolina was arrested on January 21, 2011 for exposing others to HIV. The arrest was made after his medication was discovered by a woman carrying his baby. Police believe that he may have had more victims. Anyone who has had sexual contact with him should call the Aiken Department of Public Safety at 803-642-7620.

http://www.wrdw.com/news/crimeteam12/headlines/Man_pleads_guilty_in_HIV_exposure_case_132323723.html



This post has been viewed 701 times

Posted in HIV/AIDS





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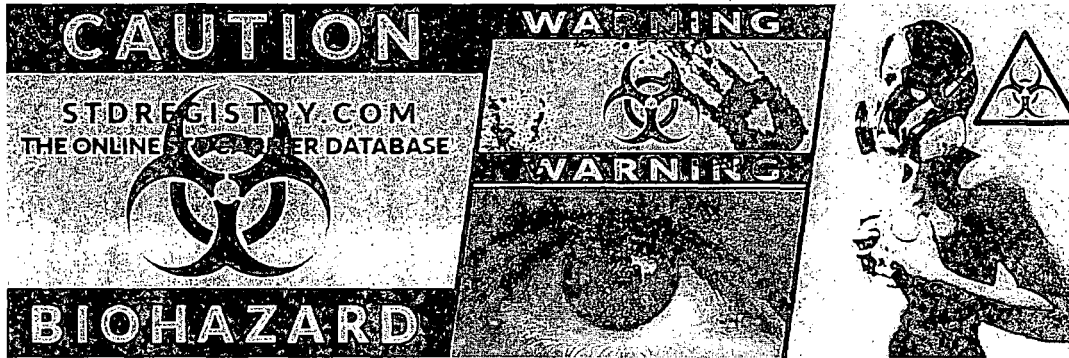
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July 26, 2015 - STD Report

Robert Musmacker, Oceanside, New York



Robert Musmacker from the Long Island town of Oceanside, New York was convicted of numerous crimes involving child endangerment and reckless conduct before being sentenced to 14 years in prison on July 21, 2010 after admitting to having unprotected sex with nine people. His victims were men and boys aged 16 to 20 that he would seduce with alcohol and marijuana. Musmacker has been a level three convicted sex offender since 1992 when he was convicted of raping a 6 year old relative. He went to prison and was released in 2001.



This post has been viewed 495 times

Posted in HIV/AIDS

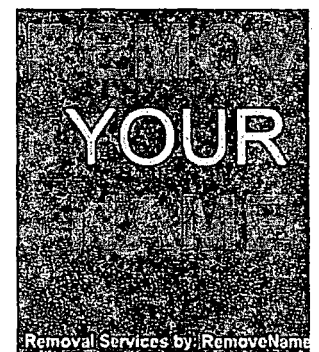
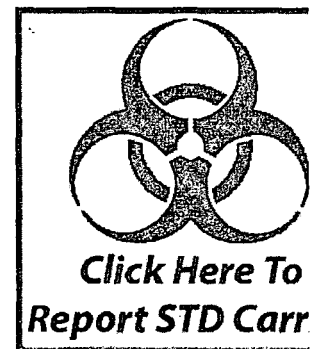




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Ripped Off?

Help other consumers

Share your BAD Experience!

No Power? Angry?

Been mistreated?

Poor Product?

TELL YOUR STORY!

Been Scammed?

EXPOSE BAD BEHAVIOR

Disgusted?

BOSS?

Real consumer advice!

Voice your opinion!

Robert Musmacker, Oceanside, New York

Posted: May 4, 2013 by [Scam Report](#)

37 year old gay white male with brown hair and brown eyes. Standing 5 feet, 9 inches tall and weighing in at 175 pounds. Infected with HIV and AIDS since Wednesday, January 28, 2009 Robert Musmacker from the Long Island town of Oceanside, New York was convicted of numerous crimes involving child endangerment and reckless conduct before being sentenced to 14 years in prison on July 21, 2010 after admitting to having unprotected sex with nine people. His victims were men and boys aged 16 to 20 that he would seduce with alcohol and marijuana. Musmacker has been a level three convicted sex offender since 1992 when he was convicted of raping a 6 year old relative. He went to prison and was released in 2001.



This post has been viewed 85,868 times

Posted in [STD Carriers](#)

[United States](#)

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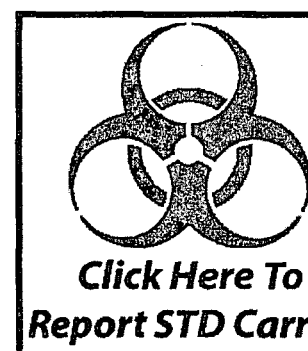
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July 26, 2015 - STD Report

Pamela Jane Stuckey, Youngstown, Ohio



Pamela Jane Stuckey of Hilltop near Youngstown, Ohio was arrested on felony prostitution charges after soliciting a cop for sex at W. Broad Street and Ogden Avenue without disclosing her HIV status. She later admitted that she tested positive back on September 24, 2004. Police say she has been arrested more than a half dozen times since 2002 working the corner of W. Broad Street and Sullivant Avenue in Hilltop. Police listed her address as 28 Warren Ave.



This post has been viewed 534 times

Posted in HIV/AIDS

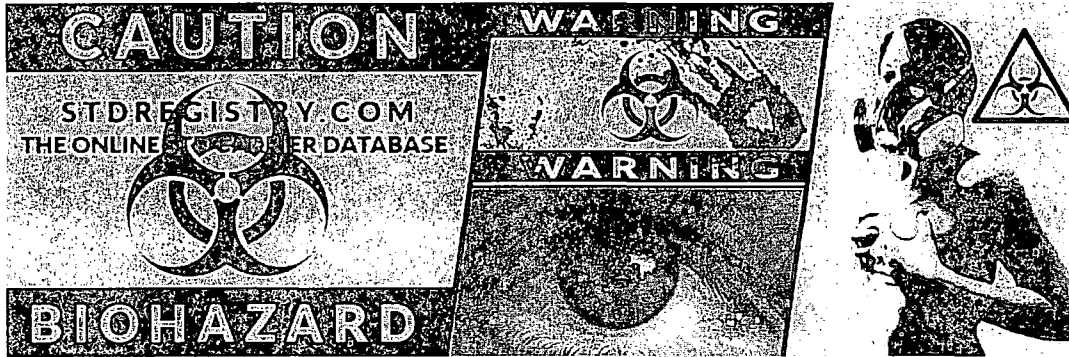


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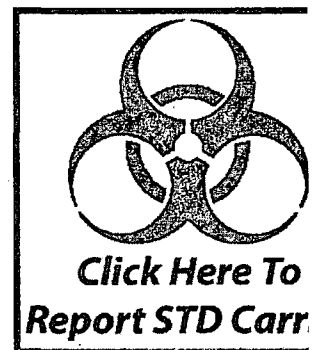
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July 26, 2015 - STD Report

Heather Manuel Roberts, Lafayette, Louisiana



Strung out prostitute Heather Manuel a.k.a. Heather Manuel Roberts was arrested on drug paraphernalia and HIV exposure charges when narcotics officers raided a Royal Inn hotel room at the 1800 block of Northwest Evangeline Thruway. Police discovered Roberts and an unidentified male in room 230 surrounded by drug related items. After her arrest police say she admitted to being HIV positive before a blood test backed up her confession.

*This post has been viewed 703 times**Posted in HIV/AIDS*



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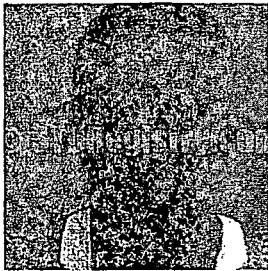
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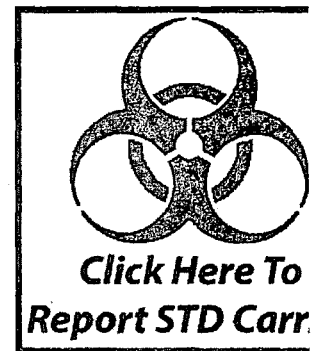
Patricia Ann Curry, Virginia Beach, Virginia



Patricia Ann Curry of Virginia Beach, Virginia gave two police officers a bargain when she agreed to have sex with both of them for just \$20 a piece without disclosing her HIV status around the 800 block of Virginia Beach Blvd. Her lawyer proved in court that she knew of her HIV status, failed to inform what she believed to be legitimate Johns, but did not intend to give them AIDS. As of now she is scheduled to be sentenced on September 21, 2010.








This post has been viewed 559 times

Posted in [HIV/AIDS](#)



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July 26, 2015 - STD Report

Latisha Patwardhan, Salt Lake City, Utah



Salt Lake City prostitute Latisha Patwardhan was arrested after agreeing to perform oral sex on an undercover cop for \$60 without telling him that she is HIV positive. She now faces felony prostitution charges for her activity at 800 West and North Temple. This is the 4th time she has been arrested since her 2007 court ordered HIV test came back positive. An inmate search listed Latisha Marquez as a known alias. Patwardhan has been prostituting herself since the age of 18 when she was first arrested for solicitation in 2002. Her latest arrest also resulted in a drug paraphernalia charge.



This post has been viewed 644 times

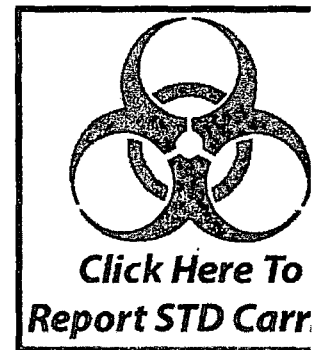
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July 26, 2015 - STD Report

Vinroy Audley Spencer, Hamilton, Ontario, Canada



Hamilton police have issued an arrest warrant for Vinroy Audley Spencer on the charge of Aggravated Sexual Assault for not disclosing his HIV status to a victim who came forward on May 12, 2010 just two weeks before immigration officials expelled Spencer from Canada. Hamilton Police were not informed of the immigration proceedings against Spencer and now will most likely have to get him extradited to pursue charges. Police say that anyone who may have had sexual contact with him especially after 2004 should be tested for HIV and other STDs. Detective Scott Moore wants anyone with information to call him at 905-546-4614.



This post has been viewed 457 times

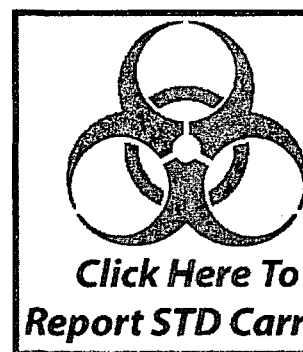
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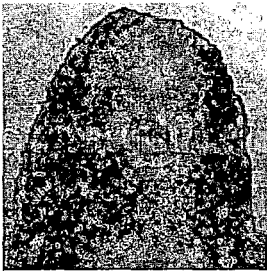
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July 26, 2015 - STD Report

Ernest Tyrone Ricks, Jacksonville, Florida

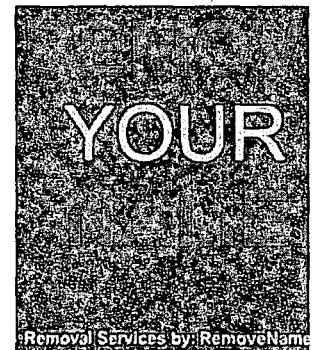
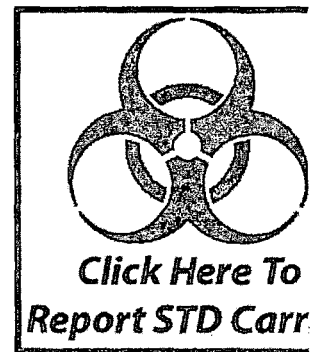


Ernest Tyrone Ricks of Jacksonville, Florida may look a little like Rick James, but he's got AIDS bitch! Don't enjoy yourself was a hard lesson learned by his ex-girlfriend who found out the hard way about her and then his HIV status when she went to the doctors office for a routine checkup to come home HIV positive. When she came home he acted like it was no big deal. He was later arrested while outside of the same nightclub where he met his victim and held on \$150,000 bail.



This post has been viewed 636 times

Posted in [HIV/AIDS](#)





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July 26, 2015 - STD Report

Nigaila Gibbs, Richmond Heights, Missouri

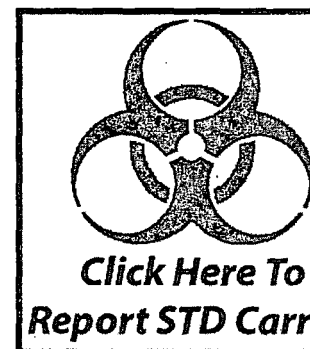


At two men a day four days a week police fear that Nigaila Gibbs of Richmond Height, Missouri may have infected hundreds of unsuspecting customers in her career as a prostitute with the HIV virus. She was arrested after agreeing to perform a sex act on an officer for \$70 at her apartment and now faces felony charges of offering prostitution services while HIV positive. Anyone who believes that they may have been exposed to Nigaila Gibbs is urged to contact the St. Louis County Police.



This post has been viewed 506 times

Posted in HIV/AIDS





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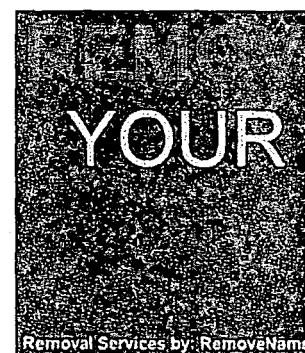
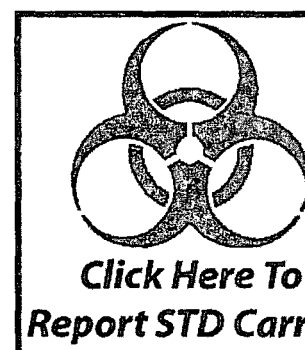
Eneydi Elsie Torres, Kissimmee, Florida



Eneydi Elsie Torres was arrested multiple times in 2009 by Osceola County authorities for having sex with multiple men without disclosing her HIV status. The first victim had been in a three month long relationship before finding out that she has been HIV positive for more than 15 years. Other victims started coming forward after her case was first reported in the media. She was re-arrested in May of 2009 and charged with seven counts of "Unlawful Acts".



This post has been viewed 469 times

Posted in [HIV/AIDS](#)



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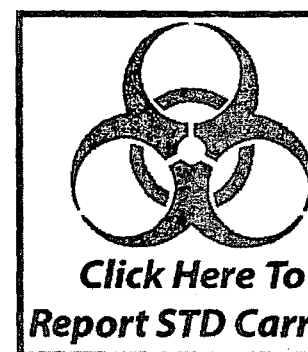
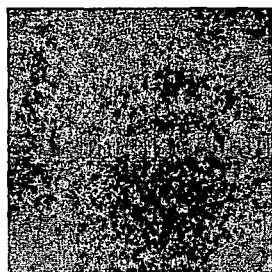
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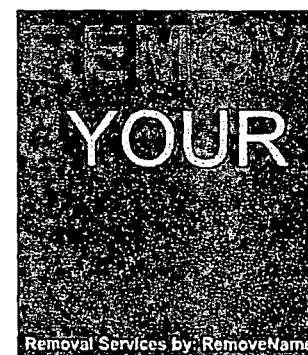
Michael Sartin, Marshfield, Missouri



Michael Sartin of Marshfield Missouri was arrest on an outstanding warrant before he began spitting blood at officers while claiming to be HIV positive as well as making multiple death threats. The prosecutor says he might as well have been aiming a loaded gun at the officers. He now faces up to 15 years in prison.



This post has been viewed 520 times

Posted in [HIV/AIDS](#)



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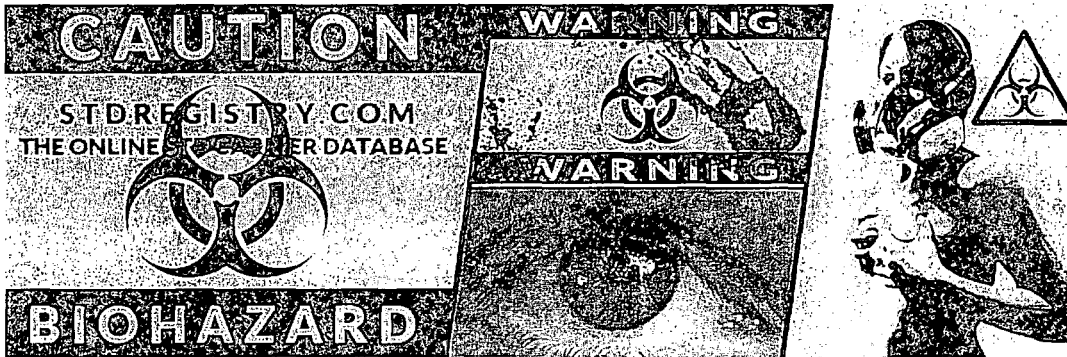
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July 26, 2015 - STD Report

Adam Thomas Rollo, Vancouver, British Columbia

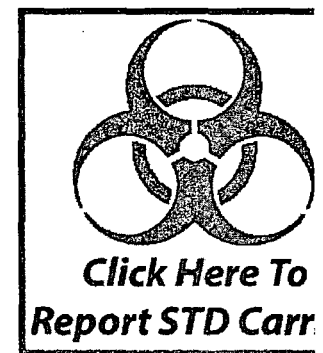


Adam Thomas Rollo was arrested and charged with aggravated assault for having sex with a woman in Vancouver B.C. without telling her that he is HIV positive. He was arrested back on May, 19 and now police are asking any woman who may have had sexual contact with him to come forward and call 604-990-7491.



This post has been viewed 506 times

Posted in HIV/AIDS



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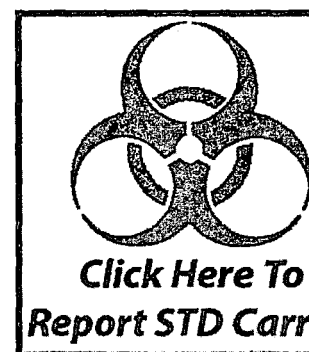
49
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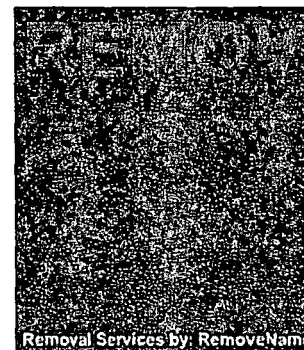
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July 26, 2015 - STD Report

Godfrey Zaburoni, Sydney, New South Wales



Australian authorities believe that circus acrobat Godfrey Zaburoni may have exposed hundreds of women to HIV in the Gold Coast, Sunshine Coast, Queensland, and New South Wales areas. He is facing charges of grievous bodily harm for infecting one woman and has given the names of 12 other to police. Queensland Police have set up a task force to track down his victims. Authorities have issued a national health alert urging anyone who may have been exposed to come forward and get tested for HIV. People who think they may have been exposed can contact the NSW HIV Information Line on 1800 451 600 or the NSW Sexual Health InfoLine on 1800 451 624 for more information

*This post has been viewed 555 times**Posted in HIV/AIDS*

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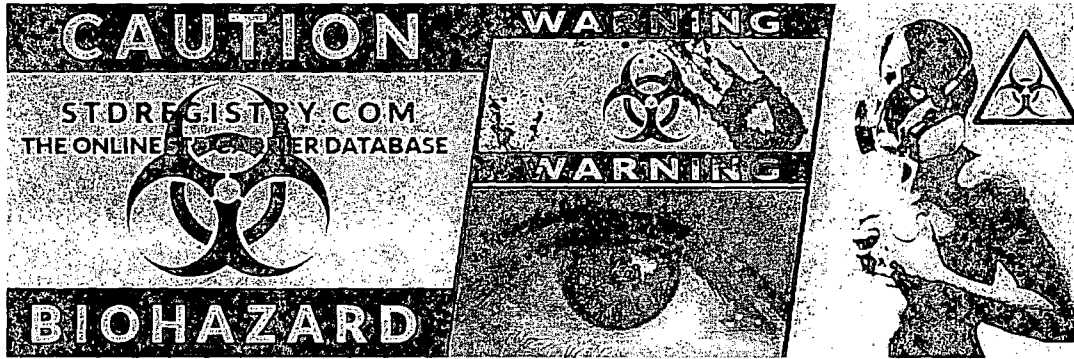
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July 26, 2015 - STD Report

Darren Chiacchia, Oscala, Florida

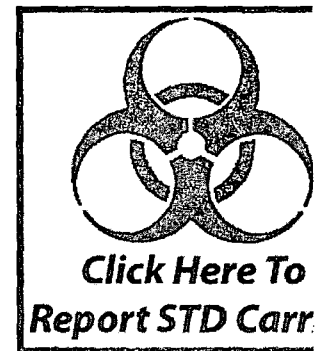


Olympic Bronze Medalist Darren Chiacchia was arrested for failing to disclose his HIV status to his former lover and is facing up to 30 years in prison. According to CBS News Chiacchia's ex-boyfriend became suspicious about his medical history from a 2009 email in which he disclosed that he had failed to disclose his secret because he did not trust him. Chiacchia was 3rd from being on top of the world in 2004 when he won the Bronze Medal as part of the United States Equestrian team. His fall from grace began in 2008 when he suffered a riding accident while preparing for the Beijing Olympics. Chiacchia suffered several broken bones, a temporary coma, and brain damage. It was at that time that he discovered that he is HIV positive.



This post has been viewed 594 times

Posted in HIV/AIDS



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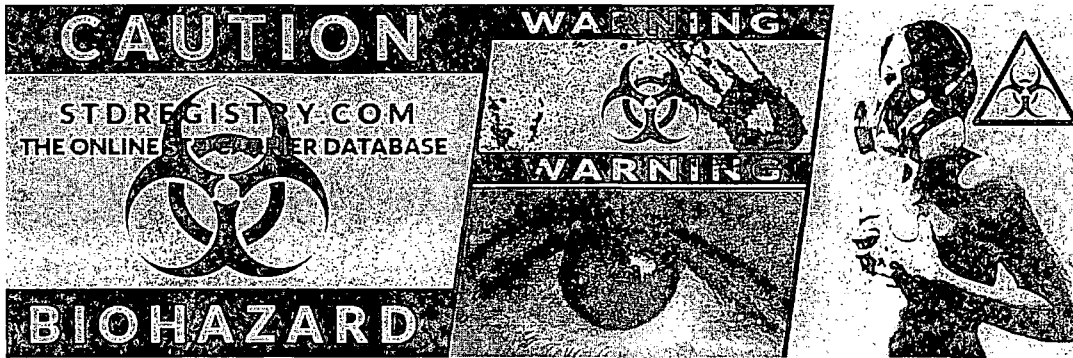
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July 26, 2015 - STD Report

Carl Jackson, Little Rock, Arkansas



Carl Jackson Jr of Little Rock, Arkansas was arrested after spitting HIV infected blood at police officers while screaming about being HIV positive and attacking them with a broken metal pipe while naked. Officer Jennifer K. Zarling reported that Jackson made a spittoon of her face while shouting obscenities in all directions before being hit with pepper spray and finally subdued. He was later treated and given an HIV test that came back positive.



This post has been viewed 633 times

Posted in HIV/AIDS

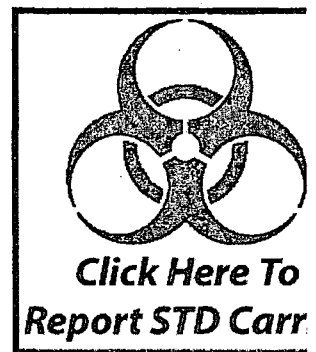




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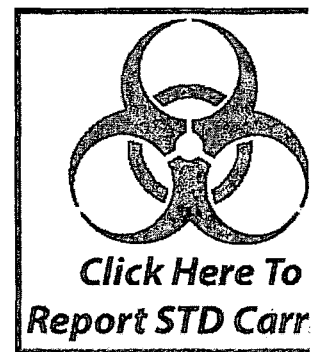
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July 26, 2015 - STD Report

Noel Simon Bowland, Kitchener, Ontario, Canada

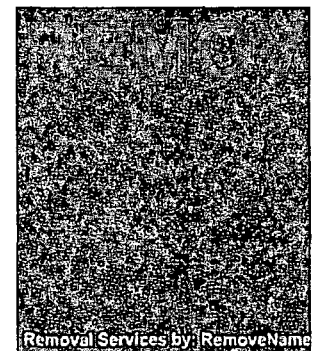


Noel Simon Bowland is facing charges of aggravated sexual assault for exposing multiple partners to HIV without telling them about it. The incident occurred in Waterloo, Ontario where fellow HIV exposure criminal Steven Paul Boone participated in a foursome with two other men who are not believed to be HIV positive. Waterloo Police want anyone who has had sexual contact with Boone or Bowland to call them at 519-650-8500 Ext 8672



This post has been viewed 646 times

Posted in [HIV/AIDS](#)





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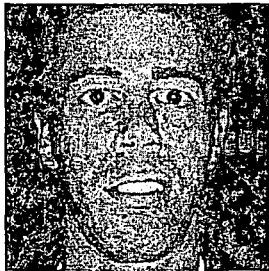
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July 26, 2015 - STD Report

Steven Paul Boone, Ottawa, Ontario, Canada

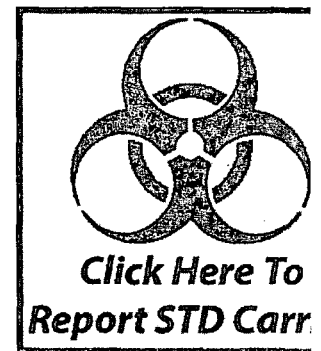


Steven Paul Boone of Ottawa, Ontario is facing an ever growing list of charges as men continue to come forward claiming to have had sex with him. His latest victim in an anonymous 22 year old man who was recently diagnosed as HIV positive and believes to have contracted the virus during a "moment of lust" back in May of 2009. This after Boone was charged on May 6, 2010 with nine counts of sexual assault for failing to disclose his status to a victim who was just 17 at the time of his exposure. All of this coming after participating in a four way tea party in Waterloo with another infected man and two other victims for which he is facing three additional sexual assault charges. Ottawa Police want anyone who think they may have had sexual contact with Steven Patrick Boone to call them immediately at 613-236-1222, ext. 5944



This post has been viewed 758 times

Posted in HIV/AIDS





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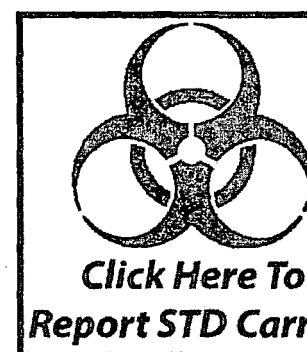
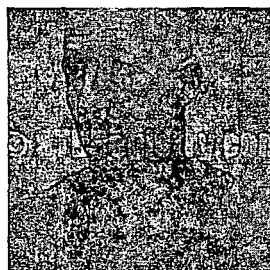
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July 26, 2015 - STD Report

Tony Perkins, Greenwood, Indiana



Tony Perkins of Greenwood, Indiana was convicted of failing to inform two of the twenty six women he is know to have exposed to the HIV virus. Perkins claimed that when he first began disclosing his HIV status to women after his 2004 diagnosis they would never call him again and treated him like he "had the plague". After that Perkins started trolling online dating sites for women as well as hooking up with prostitutes. He said that he would explain the AIDS related legions on his face as shaving nicks. His last girlfriend Vicki Branch told police that he had gotten HIV from a prostitute and that in his eyes any woman dumb enough to sleep with him was giving it back to the whore.



This post has been viewed 727 times

Posted in [HIV/AIDS](#)






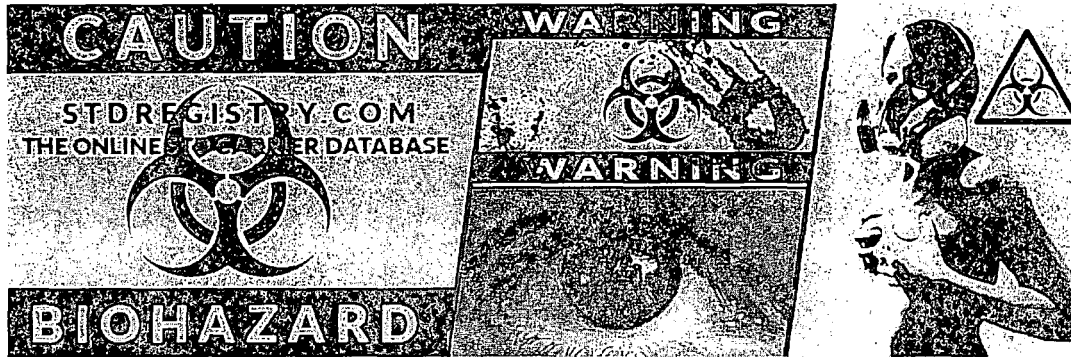


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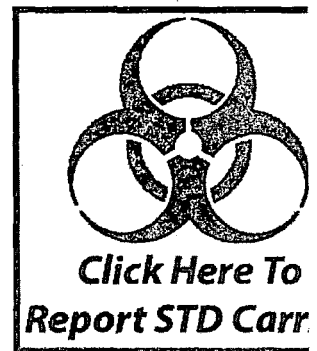
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July 26, 2015 - STD Report

Robert Gardner, Tupelo, Mississippi

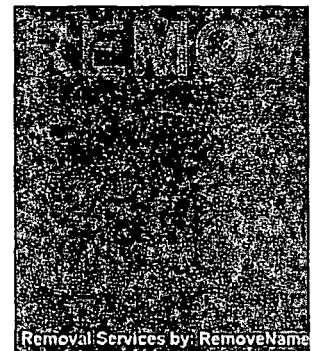


Robert Gardner of Tupelo, Mississippi was charged in early February of 2010 with exposing two women to the HIV virus. At his arraignment in Lee County Justice Court Judge Ricky Thompson set his bail at one million dollars. Exposing someone to HIV without their knowledge is a felony in Mississippi with a minimum sentence of three and a maximum sentence of ten years in prison.



This post has been viewed 946 times

Posted in HIV/AIDS





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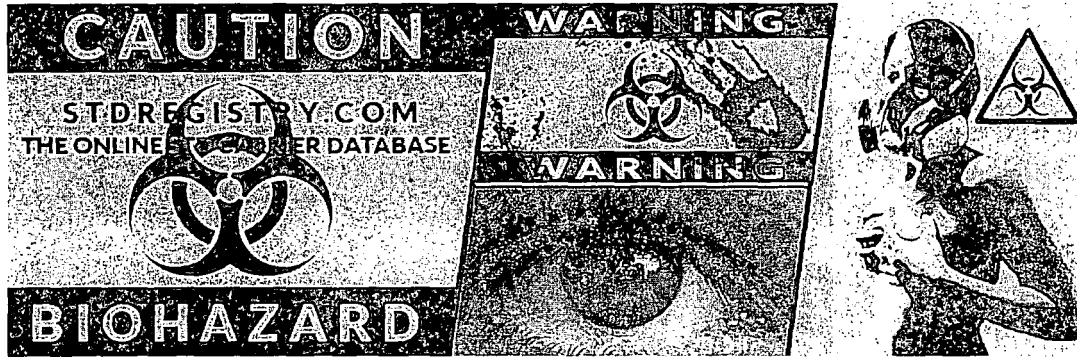
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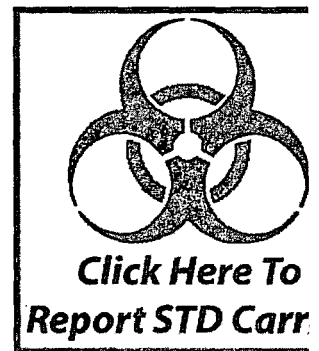
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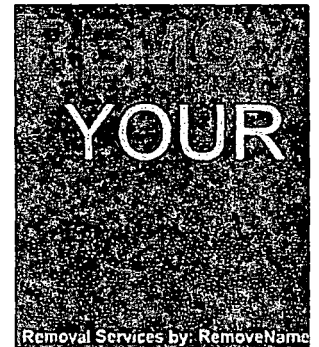


July 26, 2015 - STD Report

Pham Cao Le Brampton, Ontario, Canada



Pham Cao Le of Brampton, Ontario was arrested for having sex with two men and failing to disclose his HIV status. Although no true date is known as to how long Le has been HIV positive it is believed that he has been infected for at least seven (7) years. Brampton met his victims while trolling the internet for men to have sex with. Investigators urge anyone who think that they may have had intimate contact with Pham Cao Le to contact the Special Victims Unit at 905-253-2121 or Peel Crime Stoppers at 1-800-222-TIPS.



This post has been viewed 821 times

Posted in HIV/AIDS








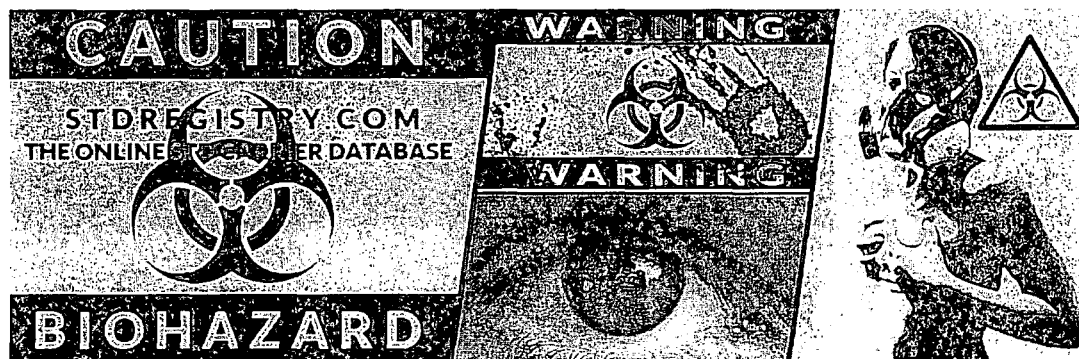
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July 26, 2015 - STD Report

Mark Devereaux, Dundee, Tayside, United Kingdom



Chef Mark Devereaux most recently a resident of Dundee, Scotland plead guilty to four charges of culpable and reckless conduct after knowingly exposing at least four women to HIV through unprotected sex despite knowing of his condition since 1994. When questioned by police on July 24, 2009 he claimed that he was not sure that he was HIV positive due to being "in denial" and that after years of showing no symptoms he was able to "completely forget" that he was HIV positive. One of these women who he had cheated on multiple times during their six year relationship found out that she was infected while three months pregnant with twins. After finding out that she was HIV positive she aborted what most likely would have been Devereaux's children. The abortion effectively eliminated Devereaux from eligibility for the upcoming 2010 first annual STDRegistry father of the year award. The three other women he endangered tested negative.



This post has been viewed 791 times

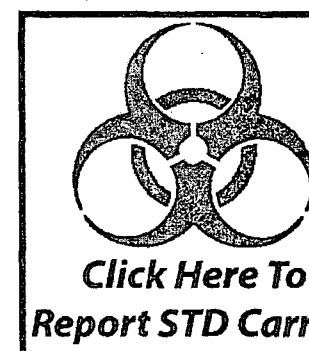




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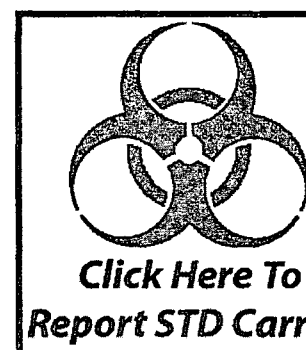
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July 26, 2015 - STD Report

Pham Cao Le Brampton, Ontario, Canada



Pham Cao Le of Brampton, Ontario was arrested for having sex with two men and failing to disclose his HIV status. Although no true date is known as to how long Le has been HIV positive it is believed that he has been infected for at least seven (7) years. Brampton met his victims while trolling the internet for men to have sex with. Investigators urge anyone who think that they may have had intimate contact with Pham Cao Le to contact the Special Victims Unit at 905-253-2121 or Peel Crime Stoppers at 1-800-222-TIPS.



This post has been viewed 822 times

Posted in HIV/AIDS



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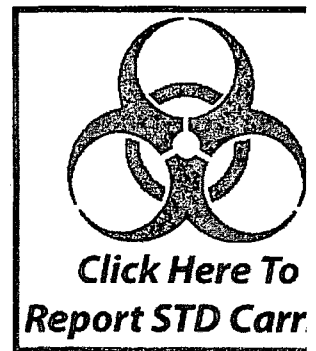
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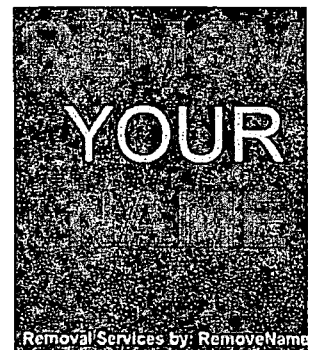


July 26, 2015 - STD Report

Johnson Aziga, Hamilton, Ontario, Canada



Johnson Aziga became the first Canadian convicted of first degree murder on April 4, 2009, crime that carries a sentence of life in prison without the possibility of parole. Aziga is known to have infected at least seven women since he was diagnosed as HIV positive in 1996. Two of those women died from AIDS related cancers one of whom recorded a death bed confession for police in which she said that Aziga never told her he was HIV positive and that she would have refused to have sex with him if she knew about it. Aziga was also convicted of 10 of the 11 charges of aggravated sexual assault that he faced for having unprotected sex with a total of 13 women including the seven that he had infected and the two that he killed. As of December 30, 2009 his official sentencing is on hold pending a psychiatric evaluation. His attorneys have always claimed that he suffers from some sort of brain disorder that influenced his crimes. Whatever his disorder we are confident that he will remain where he needs to be until he can be placed six feet underground where he belongs.










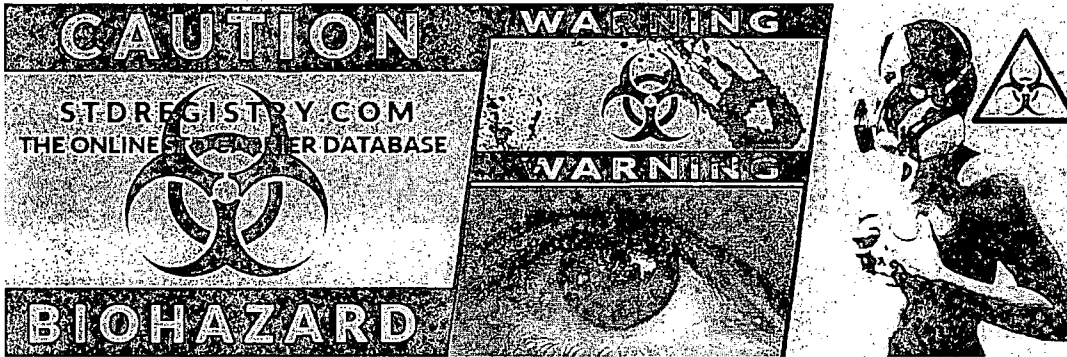
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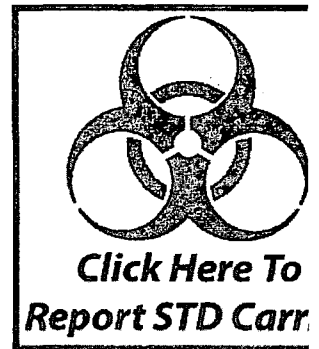
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July 26, 2015 - STD Report

Wepukhulu Zebtek, Perth, Western Australia



Wepukhulu Zebtek was sentenced to four and a half years in prison after admitting to having sex with a Perth woman in 2007 without telling her that he was HIV positive. According to the Victorian Department of Health he was counseled in 2002 and told to disclose his condition after multiple reports of him cheating on his wife. According to the court Zebtek originally from Uganda has known about his HIV status since 1993. "You gave your own need of sexual gratification over the health of a human being" said Judge Allan Fenbury before announcing his sentence. Zebtek is said to be an intelligent man with a masters degree in education who worked as a teacher in his native Uganda before moving to Australia.



This post has been viewed 1,493 times

Posted in HIV/AIDS

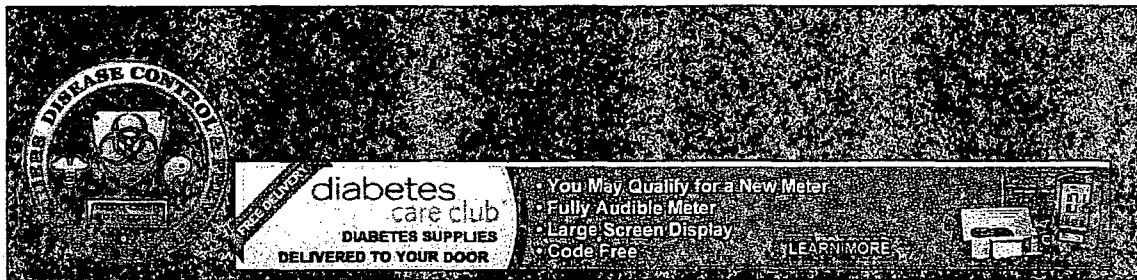
SECTION 3

Original Marks and Articles

“STD Carriers was founded as and still is the first public early warning alert system for identifying potential sources of incurable sexually transmitted diseases” - STDCarriers.com



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False Online Record Removal 12 Step Program

***IMPORTANT!** Due to the implementation of features to better protect author anonymity this policy is now out of date and will be updated shortly. Specifically Step 5 will be changed to reflect the fact that author email addresses will no longer be visible to other members and a new form must be used to contact authors.

New Policy on Images

Do not upload images containing what appears to small children even if such third parties are in the background and not mentioned in the report. Any picture that appears to contain a minor child will be deleted and the owner might get banned depending on the circumstances. When reporting a midget please state that the person is a midget and not a kid. Posting kids will be considered a TOU violation as of March 11, 2012.

An Easy 12 Step Program for Removing STD Carrier Reports

***NEW Option: STD Carriers is Part of the No Limit List Corporate Advocacy Program (NLLCAP)**

If you see a STD Carrier Report on this website that you would like removed follow these twelve (12) steps in the order that they appear:

1. Take the time to learn what STD Carriers is and how it operates. STD Carriers is an event based real time business intelligence system that services a network of online users. Users who sign up for a free membership can use the service in accordance with the terms they agree to at sign up. They can then publish a report(s) just as easily as you can post an ad on a classified ad site and post comments about reports just as easily as you can post comments on friend's Facebook wall. The site itself is a automated program that stores and distributes information 24 hours a day and is administered using a decentralized command structure in which each member operates as an independent unit in full control of their activities. A member can only be suspended if found to be in violation of the website Terms of Use (TOU).
2. Ask yourself, is the information posted in such a way that a reasonable person could believe it to be true? If the answer is no contact us and if we believe that no reasonable person could possible believe the information reported then it will be removed as soon as possible. A past example of this would be a Mr. "Snacks Jackson" that included the picture of a vending machine. If the information is presented in a way that a reasonable person could believe to be true continue to step 3.
3. Go to the International STD Carrier Registry and find the profile in question. This can be done easily using the search engine for the database located between the disclaimer and the data grid. The engine allows you to query the list by country, state, city, last name, and first name. After hitting search you will get the results (if any) of your query. You can also sort the data in the grid by clicking on the column headers and see different pages using the paging controls at the top and bottom of the grid. Click on the Details Link to view the profile in details
4. Post a comment about the report. This can be done easily by scrolling down to the bottom of the details view just below the video field. The video field contains either an embedded video or previews for movies about contagious diseases. If logged in you will see text that says "Post Comment" just above comments that have been made or text explaining that comments can be made. If you are not logged in you will see a login control. Click on "Post Comment" text and a form will open up allowing you to post a comment. When the comment is posted it will immediately appear on the top of the comment grid. This comment system is designed to encourage an open dialog about reports and to provide people listed with a place to express their side of the story.
5. Contact the publisher. Any report made after June 4, 2009 requires that the publisher be a registered member of STDCarriers.com. At the top of the report beneath the "Carrier Report Number" you will see "Created By" followed by the user name of the publisher. Click on the user name and you will be linked to the Member Information Page that contains information for contacting the publisher. If your attempt to contact the poster is unsuccessful because the email address provided does not exist contact us. If we determine that the user signed up with a fake email address that user would have already violated the Terms of Use (TOU) when they signed up by providing false information. Accounts found to be in violation of the TOU will be suspended. All comments and posting of a suspended account will be blocked from view with all information about the user of the suspended account including I.P. addresses used by that user will be provided to anyone listed by that user upon request. This same rule applies to unauthorized use of someone elses email address if we receive a reply that they did not create that account. If the users email address is valid then proceed to step 6.
6. Are you the subject of the report? If not your role in the record removal process is over. Please do not email us with personal stories regarding the subject of the report (ex: "I've known subject X for Y amount of years and they don't have Z"). We do not know them personally and cannot pass judgment of their character. If the report is about you proceed to step 7.
7. Go to a doctor's office and get tested for the Sexually Transmitted Disease (or Diseases) in some cases that you were reported for having. For Genital Herpes (Herpes Simplex Virus 2 - HSV2), Hepatitis C, Human

A Note - Was going to be updated with Truth in Posting - IIP is a medium service in which the author must submit a signed affidavit to keep posts up.

Immunodeficiency Virus (HIV), and Acquired Immune Deficiency Syndrome (AIDS) this can be done with a simple blood test that will detect antibodies if you are infected, if your results are clean then the profile will be removed. For HPV and Genital Warts there is no blood test, but they can be frequently detected by other means, clean screening results for either will be satisfactory for the removal of a profile.

8. Have your doctor send your clean test results in an official sealed envelope to:

STDCarriers.com

P.O. Box 86448

Portland, OR 97286

*Special option for attorneys. Licensed bar members are now allowed to submit results electronically on behalf of their client they provide proof of their identity and that they are licensed to practice law.

DO NOT USE CERTIFIED MAIL: STD Carriers does not answer certified mail notices. Everything sent via certified mail is automatically returned to sender.

DO NOT REMOVE FROM ORIGINAL ENVELOPE: All documents must be sent in an original sealed envelope. This means do not open results you receive and do not put them in a new envelope before sending them to us. If you must have the results sent to you first have an original copy sent to us second.

9. Contact us to let us know that test results are on their way. This will cause the post office box to be checked more frequently.

10. When we receive and review the test results the report will be removed as soon as possible and you will receive the I.P. Address information necessary to help you track down the person responsible. Delays may occur for reasons including, but not necessarily limited to the following:

- Any technical difficulties that prevent us from being able to access the internet.
- Bad weather that prevents us from being able to reach the post office box or a lag between when results arrive and the box is checked.
- Holidays both traditional and organization specific in which no member is available to perform site maintenance.
- Emergencies involving members of the organization or the community such as serious accidents, illnesses, terrorist attacks, natural disasters, global thermonuclear war, etc.

11. Wait a few days and don't panic if you still see links to the report show up on Google, Yahoo, Bing, and other search engines. The search engine bots will attempt to recrawl the report and will be redirected to Celebrities with STDs at which point they will automatically delete the old record. We do not control the rate at which the site is crawled.

12. (Optional) Find whoever listed you and do to them as you would like. You can file a lawsuit for defamation, have them arrested for criminal harassment, and turn the tables on them by listing their deeds online using the Cyber Bullies Exposed! Anti-Cyberbullying Harassment Reporting System.

No Limit List Corporate Advocacy Program (NLLCAP)

STD Carriers is now part of the No Limit List Corporate Advocacy Program (NLLCAP). NLLCAP offers a variety of options for blocking and removing your information from the web. It is the ideal solution for those that cannot for whatever reasons complete the 12 step program. NLLCAP can help you improve your online reputation by optimizing and removing STD Carrier reports from search engines. Learn more by visiting the No Limit List Corporate Advocacy Program.

Austin Attorney Heart Disease Cholesterol blood test California criminal lawyer

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        </h3>
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            - YOU ARE RESPONSIBLE FOR UNDERSTANDING AND ADHERING TO THE
TERMS OF THE CONTRACT -
        </h4>
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STDCarriers.com TERMS OF USE

1. ACCEPTANCE OF TERMS

STDCarriers.com provides a collection of online resources, including classified ads, banner ads, and various third party services, (referred to hereafter as "the Service") subject to the following Terms of Use ("TOU"). By using the Service in any way, you are agreeing to comply with the TOU. In addition, when using particular STDCarriers.com services, you agree to abide by any applicable posted guidelines for all STDCarriers.com services, which may change from time to time. Should you object to any term or condition of the TOU, any guidelines, or any subsequent modifications thereto or become dissatisfied with STDCarriers.com in any way, your only recourse is to immediately discontinue use of STDCarriers.com. STDCarriers.com has the right, but is not obligated, to strictly enforce the TOU through self-help, active investigation, litigation and prosecution.

2. MODIFICATIONS TO THIS AGREEMENT

We reserve the right, at our sole discretion, to change, modify or otherwise alter these terms and conditions at any time. Such modifications shall become effective immediately upon the posting thereof. You must review this agreement on a regular basis to keep yourself apprised of any changes. You can find the most recent version of the TOU at:

<http://stdcarriers.com/legal/termsfuse.aspx>

3. CONTENT

You understand that all postings, messages, text, files, images, photos, or other materials ("Content") posted on, transmitted through, or linked from the Service, are the sole responsibility of the person from whom such Content originated. More

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specifically, you are entirely responsible for each individual item ("Item") of Content that you post, email or otherwise make available via the Service. You understand that STDCarriers.com does not control, and is not responsible for Content made available through the Service, and that by using the Service, you may be exposed to Content that is offensive, indecent, inaccurate, misleading, or otherwise objectionable. Furthermore, the STDCarriers.com site and Content available through the Service may contain links to other websites, which are completely independent of STDCarriers.com. STDCarriers.com makes no representation or warranty as to the accuracy, completeness or authenticity of the information contained in any such site. Your linking to any other websites is at your own risk. You agree that you must evaluate, and bear all risks associated with, the use of any Content, that you may not rely on said Content, and that under no circumstances will STDCarriers.com be liable in any way for any Content or for any loss or damage of any kind incurred as a result of the use of any Content posted, emailed or otherwise made available via the Service. You acknowledge that STDCarriers.com does not pre-screen or approve Content, but that STDCarriers.com shall have the right (but not the obligation) in its sole discretion to refuse, delete or move any Content that is available via the service, for violating the letter or spirit of the TOU or for any other reason.

4. THIRD PARTY CONTENT, SITES, AND SERVICES

The STDCarriers.com site and Content available through the Service may contain features and functionalities that may link you or provide you with access to third party content which is completely independent of STDCarriers.com, including web sites, directories, servers, networks, systems, information and databases, applications, software, programs, products or services, and the Internet as a whole.

Your interactions with organizations and/or individuals found on or through the Service, including payment and delivery of goods or services, and any other terms, conditions, warranties or representations associated with such dealings, are solely between you and such organizations and/or individuals. You should make whatever investigation you feel necessary or appropriate before proceeding with any online or offline transaction with any of these third parties.

You agree that STDCarriers.com shall not be responsible or liable for any loss or damage of any sort incurred as the result of any such dealings. If there is a dispute between participants on this site, or between users and any third party, you understand and agree that STDCarriers.com is under no obligation to become involved. In the event that you have a dispute with one or more other users, you hereby release STDCarriers.com, its officers, employees, agents and successors in rights from claims, demands and damages (actual and consequential) of every kind or nature, known or unknown, suspected and unsuspected, disclosed and undisclosed, arising out of or in any way related to such disputes and / or our service.

5. NOTIFICATION OF CLAIMS OF INFRINGEMENT

If you believe that your work has been copied in a way that constitutes copyright infringement, or your intellectual property rights have been otherwise violated, please notify STDCarriers.com for notice of claims of copyright or other intellectual property infringement ("Agent"), at

webmaster@STDCarriers.com

or:

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STDCarriers.com

P.O. Box 86448

Portland, OR 97286

Please provide us with the following Notice:

a) Identify the material on the STDCarriers.com site that you claim is infringing, with enough detail so that we may locate it on the website;

b) A statement by you that you have a good faith belief that the disputed use is not authorized by the copyright owner, its agent, or the law;

c) A statement by you declaring under penalty of perjury that (1) the above information in your Notice is accurate, and (2) that you are the owner of the copyright interest involved or that you are authorized to act on behalf of that owner;

d) Your address, telephone number, and email address; and

e) Your physical or electronic signature.

STDCarriers.com will remove the infringing posting(s), subject to the procedures outlined in the Dutch Copyright Act (Auteurswet).

6. Privacy and Information Disclosure

STDCarriers.com has established a Free Speech Privacy Policy to explain to users how their information is collected and used, which is located at the following web address:

<http://stdcarriers.com/legal/freespeech.aspx>

Your use of the STDCarriers.com website or the Service signifies acknowledgement of and agreement to our Free Speech Privacy Policy. You further acknowledge and agree that STDCarriers.com may, in its sole discretion, preserve or disclose your Content, as well as your information, such as email addresses, IP addresses, timestamps, and other user information, if required to do so by law or in the good faith belief that such preservation or disclosure is reasonably necessary to: comply with legal process; enforce the TOU; respond to claims that any Content violates the laws of the State of Oregon and/or the United States of America and/or the rights, property, or personal safety of STDCarriers.com, its users or the general public.

7. CONDUCT

You agree not to post, email, or otherwise make available Content:

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a) That is unlawful or is harmful to minors in any way;

b) That is pornographic or depicts a human being engaged in actual sexual conduct including but not limited to (i) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex, or (ii) bestiality, or (iii) masturbation, or (iv) sadistic or masochistic abuse, or (v) lascivious exhibition of the genitals or pubic area of any person;

c) That impersonates any person or entity, including, but not limited to, a STDCarriers.com employee, or falsely states or otherwise misrepresents your affiliation with a person or entity.

d) That is false, deceptive, misleading, deceitful, or misinformative.

e) That infringes any patent, trademark, trade secret, copyright or other proprietary rights of any party, or Content that you do not have a right to make available under any law or under contractual or fiduciary relationships;

f) That constitutes or contains any form of advertising or solicitation if: posted in areas of the STDCarriers.com site which are not designated for such purposes; or emailed to STDCarriers.com users who have not indicated in writing that it is ok to contact them about other services, products or commercial interests.

g) That advertises any illegal service or the sale of any items the sale of which is prohibited or restricted by any applicable law, including without limitation items the sale of which is prohibited or regulated by Dutch law.

h) That contains software viruses or any other computer code, files or programs designed to interrupt, destroy or limit the functionality of any computer software or hardware or telecommunications equipment;

i) That disrupts the normal flow of dialogue with an excessive amount of Content (flooding attack) to the Service, or that otherwise negatively affects other users' ability to use the Service;

j) That employs misleading email addresses, or forged headers or otherwise manipulated identifiers in order to disguise the origin of Content transmitted through the Service.

Additionally, you agree not to:

k) "Stalk" or harass anyone;

l) Collect personal data about other users for unlawful purposes;

m) Use automated means, including spiders, robots, crawlers, data mining tools, or the like to download data from the Service - unless expressly permitted by STDCarriers.com;

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n) Post irrelevant Content, repeatedly post the same or similar Content or otherwise impose an unreasonable or disproportionately large load on our infrastructure;

o) Post the same item or service in more than one classified category.

p) Attempt to gain unauthorized access to STDCarriers.com 's computer systems or engage in any activity that disrupts, diminishes the quality of, interferes with the performance of, or impairs the functionality of, the Service or the STDCarriers.com website; or

q) Use any form of automated device or computer program that enables the submission of postings on STDCarriers.com without each posting being manually entered by the author thereof (an "automated posting device"), including without limitation, the use of any such automated posting device to submit postings in bulk, or for automatic submission of postings at regular intervals.

8. NO SPAM POLICY

You understand and agree that sending unsolicited email advertisements to STDCarriers.com email addresses or through STDCarriers.com computer systems, which is expressly prohibited by these Terms, will use or cause to be used servers located in the Kingdom of the Netherlands. Any unauthorized use of STDCarriers.com computer systems is a violation of these Terms and certain federal and state laws. Such violations may subject the sender and his or her agents to civil and criminal penalties.

9. NATIONAL SECURITY POLICY

You agree not to use the Service or any third party service accessible from STDCarriers.com in any way that compromises the national security of the United States of America or any of it's allies official or non-official including, but not limited to members of the North Atlantic Treaty Organization (NATO), State of Israel, Japan, Republic of China (Taiwan), Australia, New Zealand, Georgia, State of Kuwait, Republic of Iraq, Republic of Korea, Kingdom of Saudi Arabia, and Islamic Republic of Afghanistan. Activity in violation of this section includes and is not limited to classified and non-classified information related to military installations and the position of any ground, naval, or air units. You also agree not to use this service to support, promote, or otherwise encourage activities that benefit any terrorist activity.

10. PAID POSTINGS

We may charge a fee to post Content in some areas of the Service. The fee is an access fee permitting Content to be posted in a designated area. Each party posting Content to the Service is responsible for said Content and compliance with the TOU. All fees paid will be non-refundable in the event that Content is removed from the Service for violating the TOU.

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11. LIMITATIONS ON SERVICE

You acknowledge that STDCarriers.com may establish limits concerning use of the Service, including the maximum number of days that Content will be retained by the Service, the maximum number and size of postings, email messages, or other Content that may be transmitted or stored by the Service, and the frequency with which you may access the Service. You agree that STDCarriers.com has no responsibility or liability for the deletion or failure to store any Content maintained or transmitted by the Service. You acknowledge that STDCarriers.com reserves the right at any time to modify or discontinue the Service (or any part thereof) with or without notice, and that STDCarriers.com shall not be liable to you or to any third party for any modification, suspension or discontinuance of the Service.

12. ACCESS TO THE SERVICE

STDCarriers.com grants you a limited, revocable, nonexclusive license to access the Service for your own personal use. This license does not include:

(a) Any copying, duplication, display or derivative use of the Service nor any use of data mining, robots, spiders, or similar data gathering and extraction tools for any purpose unless expressly permitted by STDCarriers.com. A limited exception to this provided to general purpose internet search engines and non-commercial public archives that use such tools to gather information for the sole purpose of displaying hyperlinks to the Service. "General purpose internet search engine" does not include a website or search engine or other service that specializes in classified listings or in any subset of classifieds listings such as jobs, housing, for sale, services, or personals, or which is in the business of providing classified ad listing services.

STDCarriers.com permits you to create a hyperlink on your website to individual postings on the Service. STDCarriers.com permits you to display on your website any portion of STDCarriers.com so long as such use is for noncommercial and/or news reporting purposes only (e.g., for use in personal web blogs or personal online media). You may also create a hyperlink to the home page of STDCarriers.com so long as the link does not portray STDCarriers.com, its employees, or its affiliates in a false, misleading, derogatory, or otherwise offensive matter. Use of the Service beyond the scope of authorized access granted to you by STDCarriers.com immediately terminates said permission or license. In order to collect, aggregate, copy, duplicate, display or make derivative use of the Service or any Content made available via the Service for other purposes (including commercial purposes) not stated herein, you must first obtain a license from STDCarriers.com.

13. TERMINATION OF SERVICE

You agree that STDCarriers.com, in its sole discretion, has the right (but not the obligation) to delete or deactivate your account, block your email or IP address, or otherwise terminate your access to or use of the Service (or any part thereof), immediately and without notice, and remove and discard any Content within the Service, for any reason, including, without limitation, if STDCarriers.com believes that you have acted inconsistently with the letter or spirit of the TOU. Further, you agree that STDCarriers.com shall not be liable to you or any third-party for any termination of your access to the Service. Further, you agree not to attempt to use the Service after said termination. Sections 2, 4, 6, and 11-15 shall survive termination of the TOU.

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14. PROPRIETARY RIGHTS

The Service is protected to the maximum extent permitted by copyright laws and international treaties. Content displayed on or through the Service is protected by copyright as a collective work and/or compilation, pursuant to copyrights laws, and international conventions. Any reproduction, modification, creation of derivative works from or redistribution of the site or the collective work, and/or copying or reproducing the sites or any portion thereof to any other server or location for further reproduction or redistribution is prohibited without the express written consent of STDCarriers.com. You further agree not to reproduce, duplicate or copy Content from the Service without the express written consent of STDCarriers.com, and agree to abide by any and all copyright notices displayed on the Service. You may not decompile or disassemble, reverse engineer or otherwise attempt to discover any source code contained in the Service. Without limiting the foregoing, you agree not to reproduce, duplicate, copy, sell, resell or exploit for any commercial purposes, any aspect of the Service.

Although STDCarriers.com does not claim ownership of content that its users post, by posting Content to any public area of the Service, you automatically grant, and you represent and warrant that you have the right to grant, to STDCarriers.com an irrevocable, perpetual, non-exclusive, fully paid, worldwide license to use, copy, perform, display, and distribute said Content and to prepare derivative works of, or incorporate into other works, said Content, and to grant and authorize sublicenses (through multiple tiers) of the foregoing. Furthermore, by posting Content to any public area of the Service, you automatically grant STDCarriers.com all rights necessary to prohibit any subsequent aggregation, display, copying, duplication, reproduction, or exploitation of the Content on the Service by any party for any purpose.

15. DISCLAIMER OF WARRANTIES

YOU AGREE THAT USE OF THE STDCARRIERS.COM SITE AND THE SERVICE IS ENTIRELY AT YOUR OWN RISK. THE STDCARRIERS.COM SITE AND THE SERVICE ARE PROVIDED ON AN "AS IS" OR "AS AVAILABLE" BASIS, WITHOUT ANY WARRANTIES OF ANY KIND. ALL EXPRESS AND IMPLIED WARRANTIES, INCLUDING, WITHOUT LIMITATION, THE WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NON-INFRINGEMENT OF PROPRIETARY RIGHTS ARE EXPRESSLY DISCLAIMED TO THE FULLEST EXTENT PERMITTED BY LAW. TO THE FULLEST EXTENT PERMITTED BY LAW, STDCARRIERS.COM DISCLAIMS ANY WARRANTIES FOR THE SECURITY, RELIABILITY, TIMELINESS, ACCURACY, AND PERFORMANCE OF THE STDCARRIERS.COM SITE AND THE SERVICE. TO THE FULLEST EXTENT PERMITTED BY LAW, STDCARRIERS.COM DISCLAIMS ANY WARRANTIES FOR OTHER SERVICES OR GOODS RECEIVED THROUGH OR ADVERTISED ON THE STDCARRIERS.COM SITE OR THE SITES OR SERVICE, OR ACCESSED THROUGH ANY LINKS ON THE STDCARRIERS.COM SITE. TO THE FULLEST EXTENT PERMITTED BY LAW, STDCARRIERS.COM DISCLAIMS ANY WARRANTIES FOR VIRUSES OR OTHER HARMFUL COMPONENTS IN CONNECTION WITH THE STDCARRIERS.COM SITE OR THE SERVICE. Some jurisdictions do not allow the disclaimer of implied warranties. In such jurisdictions, some of the foregoing disclaimers may not apply to you insofar as they relate to implied warranties.

16. LIMITATIONS OF LIABILITY

UNDER NO CIRCUMSTANCES SHALL STDCARRIERS.COM BE LIABLE FOR DIRECT, INDIRECT, INCIDENTAL, SPECIAL, CONSEQUENTIAL OR EXEMPLARY DAMAGES (EVEN IF STDCARRIERS.COM HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES), RESULTING FROM ANY ASPECT OF YOUR USE OF THE STDCARRIERS.COM SITE OR THE SERVICE, WHETHER THE DAMAGES ARISE FROM USE OR MISUSE OF THE STDCARRIERS.COM SITE OR THE SERVICE, FROM INABILITY TO USE THE

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STDCARRIERS.COM SITE OR THE SERVICE, OR THE INTERRUPTION, SUSPENSION, MODIFICATION, ALTERATION, OR TERMINATION OF THE STDCARRIERS.COM SITE OR THE SERVICE. SUCH LIMITATION SHALL ALSO APPLY WITH RESPECT TO DAMAGES INCURRED BY REASON OF OTHER SERVICES OR PRODUCTS RECEIVED THROUGH OR ADVERTISED IN CONNECTION WITH THE STDCARRIERS.COM SITE OR THE SERVICE OR ANY LINKS ON THE STDCARRIERS.COM SITE, AS WELL AS BY REASON OF ANY INFORMATION OR ADVICE RECEIVED THROUGH OR ADVERTISED IN CONNECTION WITH THE STDCARRIERS.COM SITE OR THE SERVICE OR ANY LINKS ON THE STDCARRIERS.COM SITE. THESE LIMITATIONS SHALL APPLY TO THE FULLEST EXTENT PERMITTED BY LAW. In some jurisdictions, limitations of liability are not permitted. In such jurisdictions, some of the foregoing limitation may not apply to you.

17. INDEMNITY

You agree to indemnify and hold STDCarriers.com, its officers, subsidiaries, affiliates, successors, assigns, directors, officers, agents, service providers, suppliers and employees, harmless from any claim or demand, including reasonable attorney fees and court costs, made by any third party due to or arising out of Content you submit, post or make available through the Service, your use of the Service, your violation of the TOU, your breach of any of the representations and warranties herein, or your violation of any rights of another.

18. GENERAL INFORMATION

The TOU constitute the entire agreement between you and STDCarriers.com and govern your use of the Service, superceding any prior agreements between you and STDCarriers.com. The TOU and the relationship between you and STDCarriers.com shall be governed by the laws of the Kingdom of the Netherlands without regard to its conflict of law provisions. You and STDCarriers.com agree to submit to the personal and exclusive jurisdiction of the courts located within the Kingdom of the Netherlands. The failure of STDCarriers.com to exercise or enforce any right or provision of the TOU shall not constitute a waiver of such right or provision. If any provision of the TOU is found by a court of competent jurisdiction to be invalid, the parties nevertheless agree that the court should endeavor to give effect to the parties' intentions as reflected in the provision, and the other provisions of the TOU remain in full force and effect. You agree that regardless of any statute or law to the contrary, not to file any claim or cause of action against STDCarriers.com arising out of or related to use of the Service or the TOU.

19. VIOLATION OF TERMS AND LIQUIDATED DAMAGES

Please report any violations of the TOU, by contacting STDCarriers.com at <http://stdcarriers.com/contact/contactus.aspx>

Our failure to act with respect to a breach by you or others does not waive our right to act with respect to subsequent or similar breaches. You understand and agree that, because damages are often difficult to quantify, if it becomes necessary for STDCarriers.com to pursue legal action to enforce these Terms, you will be liable to pay STDCarriers.com the following amounts as liquidated damages, which you accept as reasonable estimates of STDCarriers.com's damages for the specified breaches of these Terms:

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a. If you post a message that (1) impersonates any person or entity; (2) falsely states or otherwise misrepresents your affiliation with a person or entity, you agree to pay STDCarriers.com one thousand dollars (\$1,000) for each such message.

b. If STDCarriers.com establishes limits on the frequency with which you may access the Service, or terminates your access to or use of the Service, you agree to pay STDCarriers.com one hundred dollars (\$100) for each message posted in excess of such limits or for each day on which you access STDCarriers.com in excess of such limits, whichever is higher.

d. If you post Content in violation of the TOU, other than as described above, you agree to pay STDCarriers.com seven thousand five hundred dollars (\$7,500) for each item of Content posted. In its sole discretion, STDCarriers.com may elect to issue a warning before assessing damages.

f. If you display, copy, duplicate, reproduce, or otherwise exploit for any purpose any Content (except for your own Content) in violation of these Terms without STDCarriers.com's express written permission, you agree to pay STDCarriers.com three thousand dollars (\$3,000) for each day on which you engage in such conduct.

Otherwise, you agree to pay STDCarriers.com's actual damages, to the extent such actual damages can be reasonably calculated. Notwithstanding any other provision of these Terms, STDCarriers.com retains the right to seek the remedy of specific performance of any term contained in these Terms; or a preliminary or permanent injunction against the breach of any such term or in aid of the exercise of any power granted in these Terms, or any combination thereof.

20. Victim Compensation

If information published by you is found to be incorrect in any way not limited to and including:

a) The intentional publishing of false information that implies that a person suffers from an incurable Sexually Transmitted Disease.

b) The intentional publishing of false information that implies that a person has engaged in behavior that a reasonable person would believe to have occurred based on the published information and that information damages the reputation of the individual named in the publication. This section does not apply to information based on a third party publication including, but not limited to newspapers, magazines, websites, or television broadcasts where the source of the information is cited in the published information.

c) The unintentional publishing of false information that implies that a person suffers from an incurable Sexually Transmitted Disease.

d) The unintentional publishing of false information that implies that a person has engaged in behavior that a reasonable person would believe to have occurred based on the published information and that information damages the reputation of the individual named in the publication. This section does not apply to information based on a third party publication including, but not limited to newspapers, magazines, websites, or television broadcasts where the source of the information is

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cited in the published information.

If you are found to have violated this section you agree to compensate the victim a monetary amount not less than \$5,000 United States Dollars plus all legal expenses including, but not necessarily limited to attorney fees, court fees, medical expenses for any lab work performed to disprove statements made about the victim, and investigation expenses up to the maximum monetary amount allowed by law.

</asp:Label>

<!--INFOLINKS_OFF-->

<script type="text/javascript" src="../../../js/finalrectangle.js"></script>

</asp:Content>

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Home Moments

Have an account? Log in

**STD Carriers**

@STDDatabase

Disease Control and Prevention Services
dedicated to stopping the spread of
STDs

World Wide

stdcarriers.com

Joined December 2009

TWEETS
7,445FOLLOWING
56FOLLOWERS
112

Have an account?

Phone, email or username

Password

☒ Remember me · Forgot password?

Log in

New to Twitter?

Sign up

Tweets

Tweets & replies

Media

**STD Carriers** @STDDatabase · 1 Oct 2015

News: The flaws of HIV: Though research carried out over the past 30 years has helped to understand most of HI... bit.ly/1KXuIOm

**STD Carriers** @STDDatabase · 1 Oct 2015

News: UMMS researchers find genes that shut down HIV-1: A pair of studies by researchers at the University of ...

UMMS researchers find genes that shut down HIV-1

A pair of studies by researchers at the University of Massachusetts Medical School, the University of Trento in Italy, and the University of Geneva in Switzerland, ... medicalnewstoday.com



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News: The flaws of HIV: Discovery of a new antiretroviral protein, SERINC5HIV is a complex virus. Though resea...

The flaws of HIV

Discovery of a new antiretroviral protein, SERINC5HIV is a complex virus. Though research carried out over the past 30 years has helped to understand most of its... medicalnewstoday.com

**STD Carriers** @STDDatabase · 1 Oct 2015

News: HIV sufferer who sank teeth into police officer battered to death after drinking session: #xa; It is bel...

Trends

#Catfish
22.6K Tweets#Greenleaf
24.9K Tweets

● PayPal VRLs ●

https://www.paypal.com/cgi-bin/webscr?cmd=_s-xclick&hosted_button_id=RKG49JWATAJ9N

https://www.paypal.com/cgi-bin/webscr?cmd=_s-xclick&hosted_button_id=Y5JWAW9LYGAKU

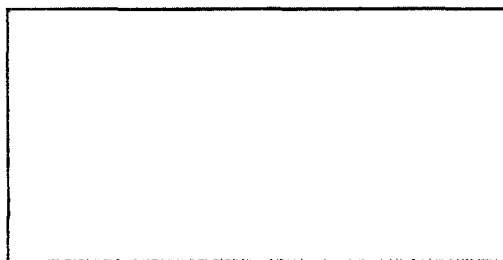
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Pay with a PayPal account - PayPal

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SBT

Choose a way to pay



Error Message

Log in to make changes.

Your order summary

Descriptions	Amount
--------------	--------

Joe the Sailor PosterJoe the Sailor Poster	\$15.00
---	---------

Item number: 1

Item price: \$15.00

Quantity:

Item total	\$15.00
------------	---------

Total \$15.00 USD

PayPal Purchase Protection

on eligible purchases | [See details](#)

Shop around the world with confidence

Pay with a PayPal account - PayPal

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Choose a way to pay

Pay with my PayPal account Log in to your account to complete the purchase

Email PayPal password

Loading ...

☐ This is a private computer. What's this? This option lets us provide a more personalized experience on this computer.

Updating country
Authenticating your information


Logging you in

[Forgot email or password?](#) Authenticating your information.

Step 1. Enter or recover your email address. Securing your information.

Step 2. Reset your password. Updating your information ... [Start now](#)

Step 3. Return and complete your payment. Updating your information ...
Updating order total ...

[Site Feedback](#) 

PayPal. The safer, easier way to pay. For more information, read our [User Agreement](#) and [Privacy Policy](#).

(Optional) Join PayPal for faster future checkout

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SBT

Choose a way to pay

☐

Error Message

Log in to make changes.

Your order summary

Descriptions	Amount
--------------	--------

"Click It Before You Stick It"	\$15.00
--------------------------------	---------

Extr... "Click It Before You
Stick It" Extra Large Mens T-
Shirt

Item number: 5

Item price: \$15.00

Quantity:

Item total	\$15.00
------------	---------

Total \$15.00 USD

PayPal Purchase Protection

on eligible purchases | [See details](#)

Shop around the world with confidence

Pay with a PayPal account - PayPal

EXHIBIT

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[Site Feedback](#) 

PayPal. The safer, easier way to pay. For more information, read our [User Agreement](#) and [Privacy Policy](#).

Choose a way to pay

Pay with my PayPal account Log in to your account to complete the purchase

Email PayPal password 

Loading ...

☐ This is a private computer. [What's this?](#) This option lets us provide a more personalized experience on this computer.

Updating country
Authenticating your
information

Logging you in

[Forgot email or password?](#)

Authenticating your
information.

Step 1. Enter or recover your email address. [What's this?](#) Securing your information.

Step 2. Reset your password. [Start now](#) Updating your information ...

Step 3. Return and complete your payment. Updating your information ...
Updating order total ...

(Optional) Join PayPal for faster future checkout



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Ideas Insights Services Reports Dashboard Books Keynotes Conference

Online STD Databases

Score
1.9



Inclusive Dating Site



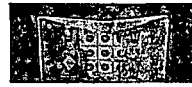
Check Tonight



Social Network For STD
Plagued



STD eCards



Drinking Game Tequila
Packaging

#1 INNOVATION KEYNOTE VIDEOS



Join 5,000,000 people getting Better & Faster
w/ Jeremy Gutsche's Innovation Keynotes ►



ALL Fashion Tech Life Culture Design Ads Business Eco Good Luxury Bizarre

About Us Community Login

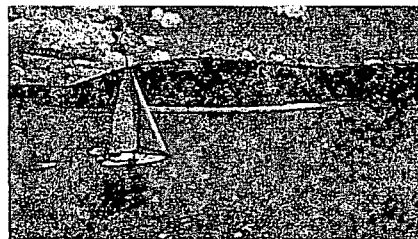
Photos

evention Sites Are atching On

By: Jennifer Astle - Nov 4, 2008
References: [stdcarriers](#) & [nowpublic](#)

s Sullivan is the creator of online STD carrier database the ominous tagline, "If we know, you will." Sullivan, of on, founded the site after a roll in the hay with an ted mate. He claims that his partner did not inform him she was infected with herpes, and had been for over a until after their steamy, contagious encounter.

an's site hasn't amounted to much beyond a few unsuspecting citizens and a handful of porn stars, e hopes that the idea will "catch." It's only a matter of time before jilted lovers are lining up and ...ting away and Valtrex is offering sponsorship.



The moral of the story: Use Protection!

<http://www.trendhunter.com/trends/online-std-carrier-database>

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More Next Blog»

Create Blog Sign In



In November of 2008 this blog was started to provide a forum for open debate regarding the National Sexually Transmitted Disease (STD) Carrier Registry.

In April of 2009 we discontinued use of this blog due to the addition of comment features to the main STD Carriers Disease Control and Prevention Services website (STDCarriers.com). This blog will remain online so you can read the comments that were posted here

SUNDAY, AUGUST 29, 2010

STD Carreirs Comments on Issues

STD Carriers cares about the issues that you should care about also. To join discussions of ours follow us on at the STD Carriers Disqus Profile.

POSTED BY STD CARRIERS AT 5:05 PM
LABELS: DISQUS, STD CARRIERS

MONDAY, APRIL 20, 2009

Comment Features Moved

Due to improved features on the main STD Carriers site and other sites this blog has been discontinued.

To comment on any specific profile such as the Michael Vick Genital Herpes Report you can now post comments on the same page as the report beneath the image and video fields. There you will see a login control or a button that says "Post Comment".

You can also comment about anything relevant to the website on the STD Carriers Forum.

POSTED BY STD CARRIERS AT 11:31 PM NO COMMENTS:

WEDNESDAY, DECEMBER 17, 2008

Moderation Discontinued

Since I have not had to deal with a bunch of spam attempts on the blog like had to on the database I have discontinued moderating comments. Comments that are irrelevant or contain excessive profanity, advertising, or threats will be deleted. Enjoy!

POSTED BY STD CARRIERS AT 11:22 PM 2 COMMENTS:

AdultFriendFinder
Possible Sources of STDs in the Seattle Area!

Join for Free!

Internal
Survival
E

was unable to complete

STD CARRIERS MAIN FEATURES

Disease Control and Prevention Services
National STD Carrier Registry
Famous People with STDs
Criminal HIV Transmission
STD Videos
Free Flash Gaming Arcade
VD Propaganda Posters
STD Prevention Shirts
Rants, Raves, and Legal Threats

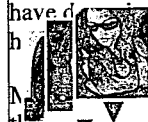
STD CARRIERS LATEST REPORTS

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your request.

Please contact the server administrator, root@localhost and inform them of the time the error occurred, and anything you might have done to make the error log.



available in the error log.

Map data © OpenStreetMap contributors, CC-BY-SA

WEDNESDAY, NOVEMBER 5, 2008

STDCarriers.com Posters and T-Shirts Available

The new STDCarriers.com Joe the Sailor "Wear a Rubber" posters and "Click It Before You Stick It!" t-shirts are available now at www.stdcarrriers.com/merchandise.aspx

POSTED BY STD CARRIERS AT 2:18 AM NO COMMENTS:

WEDNESDAY, NOVEMBER 5, 2008

Do you have a STD story?

Have you been effected by a STD or do you have an interesting story that is STD related? Share it with us.

POSTED BY STD CARRIERS AT 8:01 PM 11 COMMENTS:

Questionable Reports

As most know www.stdcarrriers.com consists entirely of statements made by members of the public, so it is possible for people to post stuff based on inaccurate information or flat out lie about someone. Some of these posts have already been removed because they were obviously false. On October 31st an Oregon man using I.P. address 76.115.156.91 listed John McCain as having genital warts claiming he knew from McCain having anal sex with everyone in the country. He even post dated the earliest know infection date to election day. In another case someone in Reston, Virginia using the I.P. address 72.94.138.121 listed Barack Obama. This person selected

Genital Herpes from the drop down list and wrote Oral Herpes(a different disease) in the explanation section. This person claimed that the Oral Herpes explained his current speeches. I almost wish this were true, Herpes as a speech enhancer.

The purpose of this section is for people to comment on reports that they believe to be inaccurate. This could give a wrongfully listed person a chance to get the ball rolling on clearing thier name and finding the person responsible.

POSTED BY STD CARRIERS AT 6:52 PM 24 COMMENTS:

[Home](#)[Subscribe to: Posts \(Atom\)](#)

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STDIVO NEW ADDITIONS

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NEW EVIL DOERS

Error loading feed.

FREE FLASH GAMES

Error loading feed.

CARRIER REPORT DISCUSSIONS

Error loading feed.

EVIL DOER DISCUSSIONS

Error loading feed.

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STD Carriers Disease Control and Prevention Services

Prevention Is Our Profession

STD Carriers Disease Control and Prevention Services

March 31, 2010 - 8:48 am

Posted in Uncategorized

Tagged disease control, prevention, std carriers, std videos

Leave a Comment

STD Carriers Disease Control and Prevention Services is spreading sexually transmitted disease awareness to Word Press with our RSS Feed Blog complete with the latest Reported STD Carrier Outbreaks, StDiVo Videos, Free Flash Games, and the worst unfortunate few who have earned a name for themselves on the Evil Doers Cyber Terrorist Watch List.

Check out our main Disease Control and Prevention website for more information about how you can help protect the purity and essence of your precious bodily fluids from incurable sexually transmitted infections (STIs). We utilize the power of modern Microsoft technology to help people helping people. Prevention is our profession and so can you.

Latest STD Reports

- An error has occurred; the feed is probably down. Try again later.

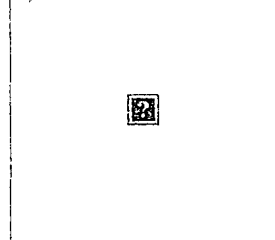
New STD Videos

- An error has occurred; the feed is probably down. Try again later.

New Flash Games

- An error has occurred; the feed is probably down. Try again later.

Cyber Terrorist Watch List



New Cyber Terrorists

- An error has occurred; the feed is probably down. Try again later.

Search

STD Carriers Services

- Criminal HIV Transmission
- Free Flash Games
- STD Carrier Registry
- STD Carriers Disease Control and Prevention Services
- STD Videos

RSS Feeds

- All posts
- All comments

Meta

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- Log in

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STD Registry Makes Surfing for STDs Feel Like Shopping

The rejuvenated STD Carriers Disease Control and Prevention Services website combines visual flair with social responsibility to protect public health while helping those with incurable STDs outed online by anonymous authors.

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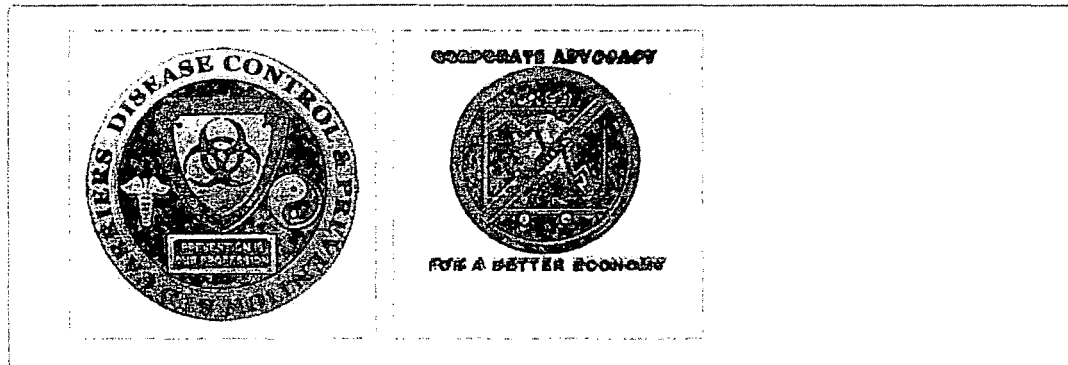
Andy Sullivan
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PORTLAND, OR, February 13, 2012 /24-7PressRelease/ -- STD Carriers Disease Control and Prevention Services unveiled the latest version of their online sexually transmitted disease (STD) fighting machine this week by giving STDCarriers.com a dramatic facelift designed to make users surfing for STDs feel like they're shopping. The renovation is part of an effort to improve the overall image of STD Carriers while making its reputation management services more valuable to people with HIV/AIDS, Genital Herpes, Genital Warts, HPV, and Hepatitis C outed online by anonymous authors.

Best known for the International STD Registry People Finder Search Engine, STD Carriers is no stranger to the criticism that comes with innovation. Inventing the first online early warning alert system for STD prevention powered by a public database full of user-generated reports is sure to raise a few eyebrows, but doing so with a dated design can make obvious questions of privacy and legality distant afterthoughts when overall professionalism and technical aptitude is called into question. Despite always being capable of accomplishing its primary mission one nagging annoyance kept coming back to irritate STD Carriers at unexpected and inopportune moments due to critics hurling insults at the site's visual design, calling it poor, disorganized, and at times downright amateur. In response STDCarriers.com underwent a week of CSS3 intensive treatment to prevent future flare-ups using gradients, rounded corners, drop shadows, text shadows, and transparencies in addition to sliders and asynchronous search tools typically used by modern shopping sites to give it a professional look to last.

STD Carriers is confident that its new dynamic search tool will greatly improve the overall user experience by eliminating the need for a full page refresh while searching the registry for keywords in all fields of the database instead of being limited to names and locations, but also hopes that it will increase sales of reputation management services because STD Carriers is part of the No Limit List Corporate Advocacy Program (NLLCAP). NLLCAP is a reputation management service designed primarily for businesses looking to keep undesirable content out of search engine results pages (SERPs) that could otherwise divert customers.

from points of sale, but with individuals in mind. NLLCAP customers have seen once prominent Google results disappear entirely after purchasing no-index meta tags while some applications have been rejected entirely in cases where applicants could not compete with linking pages not covered by the program. The leading cause of STD Carriers rejections have been due to pages listing reported carriers in specific areas generated by querystrings from the old search control performing so well in SERPs that the removal of more prominent reports would be of little use to the customer. Now those pages are dropping from SERPs like flies because the new search tool uses AJAX History Points that search engines can't index. STD Carriers hopes that the new found ability to completely remove STD reports from SERPs will make NLLCAP more attractive to its subjects.

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Overall the new STD Carriers Disease Control and Prevention Services website combines visual flair with social responsibility to deliver on all cylinders by looking out for your health as well as your reputation just in time for Valentine's Day. Search the STD Registry for that special someone to find out first hand why surfing for STDs feels like shopping.

Learn More

STD Carriers Disease Control and Prevention Services

<http://stdcarriers.com>

International STD Registry People Finder Search Engine

<http://stdcarriers.com/registry/search.aspx>

No Limit List Corporate Advocacy Program

<http://nolimitlist.com/corporate-advocacy/>

No Limit List is a worldwide publishing service provider of classified advertising, product reviews, and other services.

###

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For ideas to make life in the kitchen easier, click here.

Uh-Oh: You Might Have an STD! The Whole World Might Know, Too

BY VICTORIA BEKIEMPIS

FRIDAY, FEBRUARY 10, 2012 AT 10:33 A.M.



Love is supposed to be everlasting. Unfortunately for many, the only permanent thing to come out of a relationship is an incurable sexually transmitted disease.

And that's why Cyrus Sullivan, of Portland, Ore., claims that he runs STD Carriers Disease Control and Prevention Services, a website that lists claimed and confirmed carriers by their names, locations, descriptions, and sometimes their photos.

The database is *completely* open to the public -- you don't have to login to browse the listings, and many of the recently added carriers' pics are displayed prominently on the site's front page. Users submit photos freely. There are about 1,500 listings.

From the workmanlike design and sluggish flash slideshow and bizarre comparisons between Pearl Harbor's "hostile Asian men" and STD awareness, you might get the impression that Sullivan, who also runs an online reputation-management business, operates with a tongue-in-cheek M.O.

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And you'd be wrong: Sullivan is for real and his work (for better or for worse) is heartfelt, -- and he has updated his site *just in time* for Valentine's Day.

From the mission statement: "It is our goal that by promoting the sharing of information that we can ultimately protect you health from dangerous diseases while protecting your civil liberties and providing quality entertainment."

Oh boy.

"It was based on a personal experience," he told Runnin' Scared. "I was dating some chick during college who didn't disclose to me that she had herpes. I was kind of upset about that, and I kind of created the site and put her on there as kind of like, the first person. It kind of made me look like I was looking for revenge, but I actually wasn't doing it for revenge."

So Sullivan started STD carriers in 2008 and has made his rounds in the media circuit from time to time since then. He's gone through a couple of re-designs, but he hopes that this latest red-black motif will propel him to a new professional level.

The press release gives a little more info than the relatively reticent Sullivan:

"Surfing for sexually transmitted diseases (STDs) online has never looked good until now thanks to the dynamic facelift STD Carriers Disease Control and Prevention Services received just in time for Valentine's Day. The super fabulous makeover is part of an effort to increase the fun factor of STD Carriers, improve the overall image of the site's founder, and increase the value of its reputation management services.

Since its launch STDCarriers.com has always been criticized as a poorly designed invasion of privacy. Those days are history because what was once described as "a disorganized mess of red, white, and blue" is now a well organized STD fighting machine with a cross browser compatible CSS3 layout built to look great in up to date versions of all major browsers. Further improvements include a dynamic search tool that allows users to surf the STD Registry for keywords asynchronously without the need of a page refresh and a gallery of recent images now graces the home page above the latest work of anonymous users.

The site's founder began the much overdue overhaul about a week ago after a colleague convinced him that the old site was making him look bad professionally. The founder took this to heart because until that day he always felt immune to such things believing that he could always explain the lies of his critics to people that really matter as the rants of insignificant malcontents, but that colleague shattered his senses of innocence and

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security with the knowledge that important people might not look past his first design before they can see his better work. Having accepted the fact that his innocence is lost forever the founder finds calm as his sense of security rebounds with the knowledge that it will be years before STDCarriers.com is technically capable of making him look bad again now that surfing for STDs feels like shopping online.

Sullivan also runs similarly set-up websites that identify accused online bullies and alleged illegal aliens.

He doesn't think that there's anything wrong with posting individuals' personal information online -- and calling them STD carriers -- without their diagnoses being confirmed. Sullivan thinks its a public service.

As far as the people who get listed who don't have STDs?

"It has happened," he tells Runnin' Scared. "It's removable if you send in a negative test result. It's not always true that when something is on the web it could be there forever. If somebody's on it, and I remove it, it's going to disappear eventually -- unless some other people decide to search engine copy and post links to it."

Sullivan also doesn't think that there's a conflict of interest with running both a reputation-ruining website -- and an internet business where he charges money to improve people's online reputations.

"I dont think there's ever an ethical conflict with helping someone improve their reputation," he says. "I mean, beyond making changes, beyond that, it's really just recomendations to see what they have."

Follow Victoria Bekiempis @vicbekiempis.

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STD Registry is Thousands Of Open, Oozing Lawsuits Waiting To Happen



Erin Gloria Ryan

1/02/11 1:15pm · Filed to: DICKILEAKS ▾



17.5K

102

1



It doesn't take any fancy book-learning to realize that a user-driven website that purports to list STD carriers could be abused by the public, especially when third-party accounts of the state of the others' genitals are considered reliable.

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The website purports itself to be some kind of public service, but rather than serving the needs of a public that wants to avoid getting STD's from all of those nefarious, trenchcoat-wearing, mustache-twirling deliberate herpes-spreaders, it seems instead to serve as a great resource with which to immaturely and anonymously fuck people over. I've never had an STD, but hotdamn am I not okay with this at all.

Speculation about someone's medical history should not be subject to public scrutiny and especially shouldn't be put in a searchable database full of gems like this-

She sleeps around and has passed it on to at least 12 since at least August 2010 and December 2010. Over ten people i know have gotten it and she blamed everyone else instead of admitting she had it. And even though she knows she has it she still has not gone to the doctors to get it checked out.

Many of the super medically accurate disclosures are in ALL CAPS and thus MUCH MORE LEGITIMATE because everyone knows that DOCTORS USUALLY WRITE IN ALL CAPS.

There are multiple fun corners to explore on STDcarriers.com, but the most fucked up area is that which allows site visitors to search for names and cities of the listed. You can also conveniently browse for

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people who may or may not have been convicted of spreading HIV to sexual partners.

So what happens if you're listed on the site for being a big ho' who broke up with someone nerd who got mad and started writing shit about you on the internet? The site's servers are located in The Bahamas and the name of whoever owns the domain isn't listed, and the site's "listing removal policy" suggests you either contact whoever anonymously posted the listing and ask that they take it down (using, I'd assume, your psychic powers that allow you to discern who anonymous internet commenters are), or go to the doctor, get tested, and send some of your test results to a post office box in Oregon. Thankfully, it doesn't look like the site is quite the Craigslist of the Crotch that it claims to be, but no matter how big or small a site like this is, the fact that it exists is grosser than sending STD herpes results to a Ducks fan.

[STDcarriers.com]

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Adweek Blog Network: TVNewser (/tvnewser) | TVSpy (/tvspy) | LostRemote (/lostremote) |

AgencySpy (/agencyspy) | PRNewser (/prnewser) | SocialTimes (/socialtimes) | FishbowlNY (/fishbowlNY) |

FishbowlDC (/fishbowlDC) | GalleyCat (/galleycat)

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(http://www.adweek.com/fishbowlDC/)

(http://www.adweek.com/fishbowlDC/stars-to-dine-with-journos-pre-whcd/71894)

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**STD Site
Owner
Thanks
Cooper
and**

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Advertisement

Banfield, Says Herpes Puts a Real Damper on His Sex Life



By Betsy Rothstein

(<http://www.adweek.com/fishbowlDC/author/betsyrothstein/>)
on Apr. 18, 2012 - 3:30 PM

3 Comments (<http://www.adweek.com/fishbowlDC/std-site-owner-says-herpes-put-damper-on-his-sex-life-anderson-cooper-ashleigh-banfield/71897>)

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US News & World Report
Washington D.C.



The owner of a STD reporting site that allegedly dedicates itself to revealing those with sexually transmitted diseases, is publicly thanking CNN's Anderson Cooper and Ashleigh Banfield for helping him forge ahead with his entrepreneurial endeavors.

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Of course, sarcastically so, PAGE 4 OF 4 [https://www.mediabistro.com/shop/digital-content-strategy/?](https://www.mediabistro.com/shop/digital-content-strategy/?utm_source=ABN&utm_medium=featuredcourses&)

utm_source=ABN&utm_medium=featuredcourses&

“Anderson was a big jerk,” said **Cyrus Sullivan**, owner of **STDReporting.com**, who went on Cooper’s daytime talk show about a month ago. Both Cooper and Banfield, who came on as a guest commentator, ripped into him on air for running a site that publishes information he can’t verify. Sullivan spoke to FishbowlDC by phone this afternoon from Portland, Ore. where he resides. “I’ve never been treated by anyone so rudely in the media in my whole life and I’ve been on TV several times,” Sullivan said. “It just really sucked. He basically sat me down and accused me of being a sleazeball.”

Cooper said after the show, “I just think what he’s doing is really pathetic and inappropriate.”

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Details

Speaking of sleaze, Sullivan contracted Herpes more than three years ago, at which point he decided to create the site to, at least in part, expose the woman who gave it to him. He says he has been soul-searching his reasons for creating it. He says he takes Valtrex. His symptoms sprout up only rarely. "It's not a big deal, a lot of people have it," he said. "I wouldn't even know that I had it if I hadn't gotten tested. I don't have symptoms, [or] very rarely." Asked if having Herpes affects his sex life, he replied, "It can be a cock block. That's what's so frustrating."

On Cooper's program, Banfield said online laws should be changed and publishers shouldn't be able to blame authors, as Sullivan does in his defense. "By that logic she shouldn't be able to quote anyone on air,"

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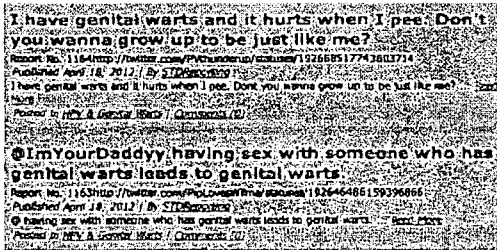


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Sullivan said, offering his two cents on journalism ethics.

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Sullivan insists he's not doing anything different than what is already happening online. "I don't see why people freak out over a site dedicated to this niche topic, especially when people are doing this on Twitter and Facebook all the time," he said. "I felt I was unfairly being singled out." He reasons that people need to be educated about how to read the Internet, as opposed to say, his site being axed. "There's no way to tell if someone is telling the truth or not," he added. "The only real way to deal with issues of internet liable or slander

is to educate people who use
the internet to scrutinize
what you read.”

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See what Sullivan looks like
after the jump...In addition,
in a release today that
Sullivan issued from
Portland, Ore., where he
lives, he wrote:

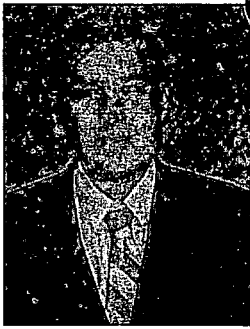


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"STD Reporting is officially dedicated to Anderson Cooper and Ashleigh Banfield in recognition of inspirational words uttered by them that motivated STD Reporting to seek levels of excellence far superior to the original purpose of the website."

Sullivan said the original purpose of STD Reporting was to test information aggregation techniques including a dead link removal button in a

controlled environment
 using data likely to motivate
 users into clicking the button
 and reporting bugs if the
 button failed. Now he's
 thinking his site could be a
 "very effective prototype for
 a niche search engine I could
 use in the future."

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With that, Cooper's
 "Ridiculist" may soon have
 its next item.

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(<http://www.adweek.com/fishbowldc/stars-to-host-pre-whcd-reception/71942>)
 to-dine-with-journos-pre-whcd/71894

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(https://www.hellofresh.com/storytelling-cd/?c=TABOOLA40&utm_source=taboola&utm_medium=cadweek&utm_term=This+Service+in+%24%7Bcity%3A

**This Service in Portland is
 Changing the Way People Cook at
 Home**

HelloFresh

(<https://www.hellofresh.com/storytelling-cd/?>

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Websites Claim to Produce STD Carrier Registry

POSTED 9:55 PM, APRIL 18, 2012, BY NATASHA CHEN, UPDATED AT 10:31PM, APRIL 18, 2012



This is an archived article and the information in the article may be outdated. Please look at the time stamp on the story to see when it was last updated.

(Memphis) A couple of websites created by a man out of Portland, OR, allow people to post information about others with sexually transmitted diseases.

For ideas to make life in the kitchen easier, click here.

man who

writes in his own profile that he was given genital herpes by a former partner, who only told him she had the disease after it was too late.

STDcarriers.com has an international registry of people who allegedly have an STD.

Anyone can sign up to be a member of the website for free. Members can then report an STD carrier.

STDreporting.com gathers Facebook and Twitter posts that mention STDs, such as people admitting to having a disease, or people claiming someone else does.

The first site clarifies that the site creator is not legally liable for posts damaging to a person's character, because it is the individual member who posts the potentially libelous information.

<http://wreg.com/2012/04/18/websites-claim-to-produce-std-carrier-registry/>



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It also states the site is not legally bound to take down false information immediately.

But there is a recommended 12-step process for someone to request their name to be removed.

Rebecca Terrell, the executive director of Choices, a Memphis reproductive health center, said, "It's just something that seems sensational, and hurtful, and I don't see the point really."

Terrell said that all health care providers have to follow HIPPA laws that keep such information confidential.

Referring to Sullivan, Terrell said, "He has no way of knowing whether this information he's putting up is accurate or not. And so it could be slanderous, it could be true; it could be not true. There's no way to know that."

People in Memphis reacted with shock.

Katie Sloan said that while she would like to know if a potential partner has an STD, this would be the wrong way to find out.

"Oh God, that's terrible. That's so wrong," Sloan said.

Her friend, Sabrina Dooley, agreed that having an STD is private information.

Unlike a sex offender registry, Dooley said, "It's not a crime to have a disease."

Rebecca Terrell at Choices also worried about the extra stigma these sites create, for people with sexually transmitted diseases.

"It's trying to portray it as something shameful or horrible, you know. It's bacteria," Terrell said. "Get tested, so we can treat it. It's easy to treat, you know. And the idea that somebody is very shamed by this, or there's this stigma about it, that's standing in the way of medical care."

Pam Gustafson, who is also in the medical profession, said typically after someone is tested positive for an STD, specialized health care staff reach out to the patient's partners. They then ask the partners to come in and be tested for the disease.

Gustafson disapproves of the sites also, saying that sharing information about STDs should be left to the patient and health care professionals.

In Tennessee, one can be charged with criminal exposure to HIV, if one knowingly engages in sexual contact, or transfers blood or bodily fluids to a partner without informing him/her.

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Terrell said that anyone with moral integrity will tell his/her partner, and that the best way to prevent the spread of disease is to always use a condom.

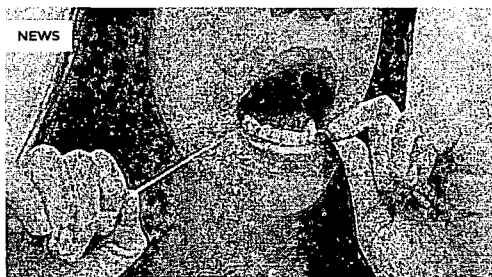
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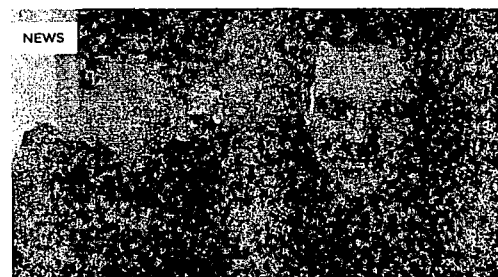
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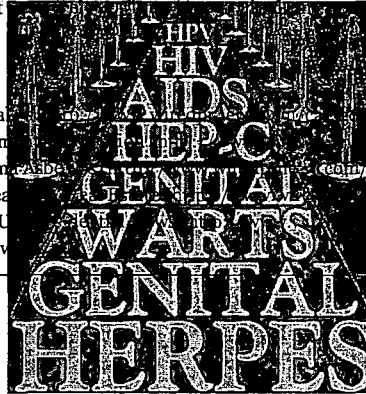
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100 Celebrities with STDs Identified in Online Study

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04/02/2012 // NoLimitList (<http://NoLimitList.submitmypressrelease.com>) // STD Carriers Disease Control and Prevention Services

STD Carriers Disease Control and Prevention Services kicked off Sexually Transmitted Disease (STD) Awareness Month by identifying 100 **Celebrities with STDs** (<http://stdcarriers.com/famouspeople/celebrities.aspx>) as part of an online study. The Centers for Disease Control and Prevention (CDC) recognizes April as STD Awareness Month for calling attention to the impact of STDs while promoting STD testing across America. The Study on Celebrities with STDs aims to support that effort by showing everyday people that fame and fortune are not prophylactics.

This study on Celebrities with STDs focused primarily on incurable STDs with particular attention given to the human immunodeficiency virus (HIV), acquired immunodeficiency syndrome (AIDS), hepatitis C, herpes simplex virus 2 (HSV2), human papillomavirus (HPV), and genital warts in men. Out of the 100 celebrities profiled in the study 44 HIV/AIDS patients were identified with hepatitis C coming in a close second at 42 and HSV2 wrapping up the top three at a distant third with just 10 victims. HPV only accounted for 3 cases covered in the study all of which were cervical cancer survivors and the genital warts category only has 1 lonesome reality star so far.

The celebrity list was broken down and categorized by occupation as well as disease into 10 categories. The categories are activists, actors, actresses, athletes, authors, journalists, musicians, politicians, porn stars, and reality stars. Out of the 100 famous people identified in the study the overwhelming majority were musicians with 29 profiles followed by 14 porn stars, 13 athletes, 10 authors, 9 actresses, 8 actors, 6 journalists, 6 politicians, 3 activists, and 2 reality stars.

Although technically a STD hepatitis c was largely to blame for the majority of musicians with 19 cases most of which were attributed to intravenous drug use and sexual of those involved baby boomers infected in the 1960s or 1970. The baby boomer hepatitis trend inspired STD Carriers to launch **Faces of Hepatitis** (<http://stdcarriers.com/news/story/faces-of-hepatitis-std-education-program.aspx>), a STD education program based on the Multnomah County Sheriff's Faces of Meth drug education program. Faces of Hepatitis compares before and after photos of Keith Richards, Anita Pallenberg, Marianne Faithfull, and others side by side to document damage inflicted on the human body by hepatitis c over time.

Learn More

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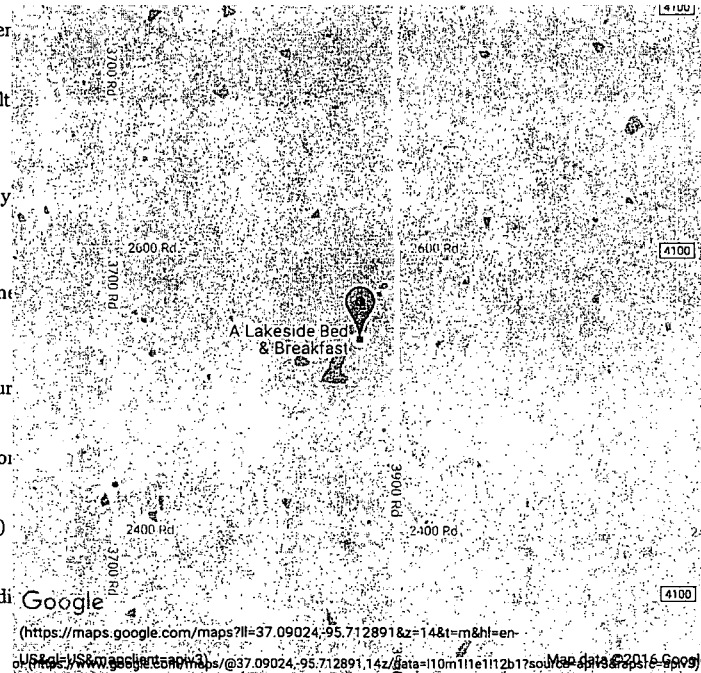
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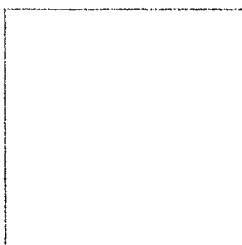
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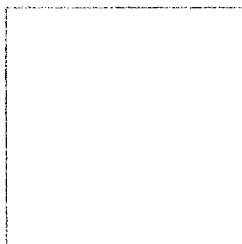
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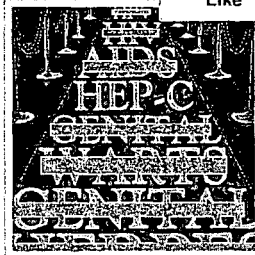
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Anita Pallenberg Picture Biography of an Actress with Hepatitis C

Italian born actress and former model Anita Pallenberg is best known for dating Keith Richards of the Rolling Stones from 1967 into the mid to late 1970s during...

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<http://stdcarriers.com/.../1184-keith-richards-hepatitisc.aspx>

Keith Richards Music by a Recording Artist with Hepatitis C

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<http://stdcarriers.com/.../1183-marianne-faithfull-hepatitisc...>

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Famous singer, former smack fiend, and occasional actress Marianne Faithfull was diagnosed with Hepatitis C in 1995 according to news reports that...

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Kevin T McCoy
May 20, 2011 at 9:14am

Check out this very interesting article about Hepatitis B.... Anyone could get it!

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Anthony Kiedis Music by a Recording Artist with Hepatitis C

Red Hot Chili Peppers lead singer Anthony Kiedis claims to have cured the incurable STD Hepatitis C with herbal medicine according to media reports....

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The son of President John F. Kennedy's sister Patricia, Christopher Kennedy Lawford is a well known actor...

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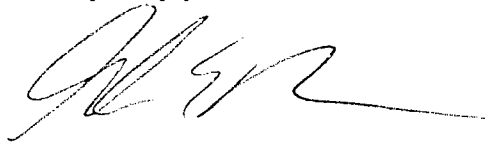
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Dear Representative:

I represent Dr. Thomas Quinlan who is the subject of a malicious and defamatory posting on your website. This posting was not made by a third party, but was made by your company when they posted a collection of data on this new site. Your culpability is evidenced by the poster identification on the site. Accordingly, you will be unable to assert the safe harbor provisions of the Communications Decency Act, Section 230 of the 1996 Telecommunications Act. If the referenced posting is not removed immediately, we will proceed with legal action in Federal Court in Tampa, Florida. If you have any questions, contact me immediately.

Very truly yours,



Geoffrey E. Parmer

cc: Dr. Thomas Quinlan

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Hollywood Actresses and Famous Broadway Stars with STDs

List of Famous leading ladies, award winners, and sex symbols from Hollywood films, Broadway plays, and television infected with Herpes, HIV/AIDS, Hepatitis C, HPV, and Genital Warts.

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Pamela Anderson Picture Biography of an Actress with Hepatitis C

This former Baywatch star and Playboy Playmate announced her Hepatitis C diagnosis in 2002. She said she got it from sharing a tattoo needle with ex-husband Tom...

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Anne Heche Picture Biography of an Actress with Herpes

She announced in her book "Call Me Crazy" that until the age of 12 she had been

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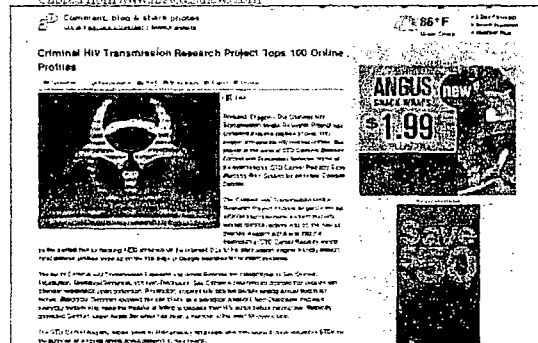
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Florida News Site Reports Crappy Ad Site's Phony STD News as Straight News

Recommend: Sign Up to see what your friends recommend.

Clipped from www.firstcoastnews.com



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“ The Criminal HIV Transmission Media Research Project has compiled detailed profiles of over 100 people arrested for HIV related crimes. ”

99

From www.firstcoastnews.com (share this quote)

The Florida site FirstCoastNews.com appears to be a hyperlocal, owned by Gannett. Just a podunk news site for a podunk region of Florida. But the horrifying thing is that they've reported on the activities of the money-grubbing hate activist loonies who runs stdcarriers.com as if it's legitimate news, and sent his ad site traffic.

Raving douchebag Cyrus Sullivan, who runs the site, is crazy like a fox, given the way the site is SEO'd and loaded with advertising, sales links, link bait and affiliate profits. You can see him whining on the Google forums about how his AdSense account was deleted, justifying his behaviour, and scrabbling for help on ways to get his site even more traffic. He's cleverly elided legal responsibility, as described on our report on the site last year:

“ The information presented on the site is submitted by site users. The site does not verify the accuracy of the submitted data, and the following disclaimer appears on the site: '[The site] does not assert that any person listed does in fact have a sexually transmitted disease or that statements made about them are true.' ”

99

From CampusNation (share this quote)

What can you do?

Don't buy anything from any link on his site, including things like useful STD books from Amazon, or click on anything on his site. If you're searching for information on STDs, make sure you don't get accidentally taken to his site- watch out for stdmerchandise.com in URLs too.

You can push him down in the search engines by looking for the other Cyrus Sullivan, apparently a perfectly awful amateur musician once gleefully reviled on mp3.com. Add "21 and Legal" to your string.

Tell Rachael Leitao, the "editor" who posted this piece of "news" (i.e. was duped by Sullivan's official-sounding press release), that she's driving traffic to a commercial site designed to profit from suffering people seeking information and the basest prurience.

Rachael Leitao, Manager of Digital Operations

Phone: (904)633-8850

E-mail: leitao@firstcoastnews.com

Contact FirstCoastNews at:

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Tuesday, August 17, 2010

Repeat Creep Robert Musmacker

4:26 PM | Posted by Beverly AIDS Cop

Robert Musmacker from the Long Island town of Oceanside, New York was convicted of numerous crimes involving child endangerment and reckless conduct before being sentenced to 14 years in prison on July 21, 2010.

He was sentenced after admitting to having unprotected sex with nine people. His victims were men and boys aged 16 to 20 that he would seduce with alcohol and...

Read More: [Robert Musmacker HIV and AIDS Report](#)

Labels: [Gay](#), [Robert Musmacker](#), [Sex Offender](#)

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Tuesday, August 17, 2010

Hilltop Hooker Pamela Jane Stuckey

3:55 PM | Posted by Beverly AIDS Cop

Pamela Jane Stuckey of Hilltop near Youngstown, Ohio was arrested on felony prostitution charges after soliciting a cop for sex at W. Broad Street and Ogden Avenue without disclosing her HIV status.

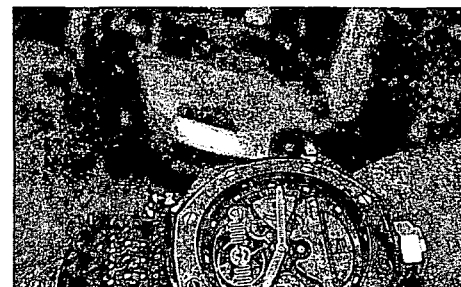
She later admitted that she tested positive back on September 24, 2004. Police say she has been arrested more than a half dozen times since 2002 working the corner of...

Read More: [Pamela Jane Stuckey HIV and AIDS Report](#)

Labels: [Pamela Jane Stuckey](#), [Prostitute](#)

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Monday, August 9, 2010

Drugs AIDS Heather Manuel Roberts

9:19 PM | Posted by Beverly AIDS Cop

Strung out prostitute Heather Manuel a.k.a. Heather Manuel Roberts was arrested on drug paraphernalia and HIV exposure charges when narcotics officers raided a Royal Inn hotel room at the 1800 block of Northwest Evangeline Thruway.

Police discovered Roberts and an unidentified male in room 230 surrounded by drug related items.

Read More: [Heather Manuel Roberts HIV and AIDS Report](#)

Labels: [Heather Manuel Roberts](#), [Prostitute](#)

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Monday, August 9, 2010

Latisha Patwardhan Salt Lake Prostitute

1:59 PM | Posted by Beverly AIDS Cop

Salt Lake City prostitute Latisha Patwardhan was arrested after agreeing to perform oral sex on an undercover cop for \$60 without telling him that she is HIV positive. She now faces felony prostitution charges for her activity at 800 West and North Temple.

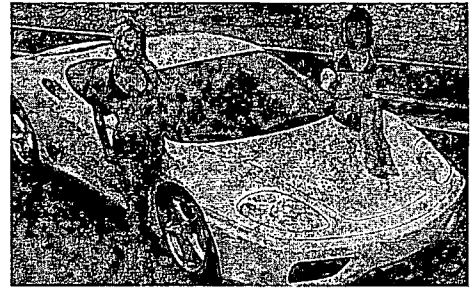
This is the 4th time she has been arrested since her 2007 court ordered HIV test came back positive. An inmate search listed Latisha...

Read More: Latisha Patwardhan HIV and AIDS Report

Labels: [Latisha Patwardhan](#), [Non-Disclosure](#), [Prostitute](#)

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Monday, August 9, 2010

Illegal Alien Vinroy Audley Spencer Deported From Justice

1:52 AM | Posted by Beverly AIDS Cop

Hamilton police have issued an arrest warrant for Vinroy Audley Spencer on the charge of Aggravated Sexual Assault for not disclosing his HIV status to a victim who came forward on May 12, 2010 just two weeks before immigration officials expelled Spencer from Canada.

Hamilton Police were not informed of the immigration proceedings against Spencer and now will most likely have to get him extradited to pursue charges.

Read More: [Vinroy Audley Spencer HIV and AIDS Report](#)Labels: [Fugitive](#), [Non-Disclosure](#), [Vinroy Audley Spencer](#)

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Monday, August 9, 2010

Rick James Lives with AIDS as Ernest Tyrone Ricks

1:32 AM | Posted by Beverly AIDS Cop

Ernest Tyrone Ricks of Jacksonville, Florida may look a little like Rick James, but he's got AIDS bitch! Don't enjoy yourself was a hard lesson learned by his ex-girlfriend who found out the hard way about her and then his HIV status when she went to the doctors office for a routine checkup to come home HIV positive

When she came home he acted like it was no big deal...

Read More: Ernest Tyrone Ricks HIV and AIDS Report

Labels: Ernest Tyrone Ricks, Non-Disclosure, Rick James

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Monday, August 9, 2010

AIDS Whore Nigaila Gibbs May Have Infected Hundreds

12:46 AM | Posted by Beverly AIDS Cop

At two men a day four days a week police fear that Nigaila Gibbs of Richmond Height, Missouri may have infected hundreds of unsuspecting customers in her career as a prostitute with the HIV virus.

She was arrested after agreeing to perform a sex act on an officer for \$70 at her apartment and now faces felony charges of offering prostitution services while HIV positive.

More Info: [Nigaila Gibbs HIV and AIDS Report](#)

Labels: [Nigaila Gibbs](#), [Non-Disclosure](#), [Prostitute](#)

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"Kamille LaRue 202 536 9717 HIV aids whore in DC also infected hundreds in DC md and va"

[January 22, 2016 at 1:24 AM](#)

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Thursday, June 17, 2010

Tramp Eneydi Elsie Torres

1:15 AM | Posted by Beverly AIDS Cop

Eneydi Elsie Torres was arrested multiple times in 2009 by Osceola County authorities for having sex with multiple men without disclosing her HIV status. The first victim had been in a three month long relationship before finding out that she has been HIV positive for more than 15 years.

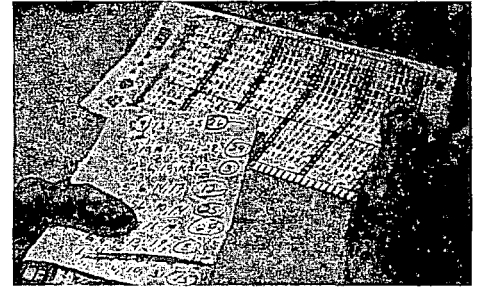
Other victims started coming forward after her case was first reported in the media. She was re-arrested in May of 2009 and charged with seven counts of "Unlawful Acts".

[Eneydi Elsie Torres's HIV and AIDS Report](#)

Labels: [Eneydi Elsie Torres](#), [Non-Disclosure](#), [Tramp](#)

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Monday, June 7, 2010

Blood Spitter Michael Sartin

1:10 AM | Posted by Beverly AIDS Cop

Michael Sartin of Marshfield Missouri was arrest on an outstanding warrant before he began spitting blood at officers while claiming to be HIV positive as well as making multiple death threats.

The prosecutor says he might as well have been aiming a loaded gun at the officers. He now faces up to 15 years in prison.

Michael Sartin's HIV and AIDS Report

Labels: Bio-Terrorism, Michael Sartin

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Sunday, June 6, 2010

Acrobat Godfrey Zaburoni

11:06 PM | Posted by Beverly AIDS Cop

Australian authorities believe that circus acrobat Godfrey Zaburoni may have exposed hundreds of women to HIV in the Gold Coast, Sunshine Coast, Queensland, and New South Wales areas. He is facing charges of grievous bodily harm for infecting one woman and has given the names of 12 other to police. Queensland Police have set up a task force to track down his victims.

Authorities have issued a national health alert urging anyone who may have been exposed to come forward and get tested for HIV.

People who think they may have been exposed can contact the NSW HIV Information Line located at...

Godfrey Zaburoni's HIV and AIDS Report

Labels: Australia, Criminal HIV Transmission, Godfrey Zaburoni, Non-Disclosure

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Saturday, May 15, 2010

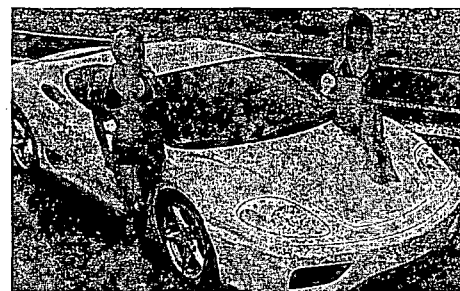
Olympian Darren Chiacchia

4:11 PM | Posted by Beverly AIDS Cop

Olympic Bronze Medalist Darren Chiacchia was arrested for failing to disclose his HIV status to his former lover and is facing up to 30 years in prison. According to CBS News Chiacchia's ex-boyfriend became suspicious about his medical history from a 2009 email in which he disclosed that he had failed to disclose his secret because he did not trust him.

Chiacchia was 3rd from being on top of the world in 2004 when he won the Bronze Medal as part of the United States Equestrian team. His fall from grace began... [Darren Chiacchia's HIV and AIDS Report](#)

Labels: [Darren Chiacchia](#), [Equestrian](#), [Non-Disclosure](#)



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Saturday, May 15, 2010

Naked Jackson Attacks Cops with Blood and a Pole

4:20 AM | Posted by Beverly AIDS Cop

Carl Jackson Jr of Little Rock, Arkansas was arrested after spitting HIV infected blood at police officers while screaming about being HIV positive and attacking them with a broken metal pipe while naked.

Officer Jennifer K. Zarlingo reported that Jackson made a spittoon of her face while shouting obscenities in all directions before being hit with... [Read the Carl Jackson Report](#)

Labels: [Bio-Terrorism](#), [Carl Jackson](#)

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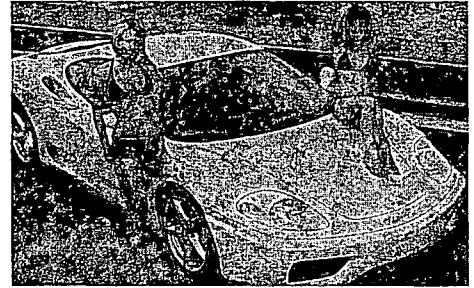
4:17 AM | Posted by Beverly AIDS Cop

Noel Simon Bowland is facing charges of aggravated sexual assault for exposing multiple partners to HIV without telling them about it.

The incident occurred in Waterloo, Ontario where fellow HIV exposure criminal Steven Paul Boone participated in a foursome with...

[Learn More: Noel Simon Bowland Arrest Report](#)

Labels: [Gay](#), [Noel Simon Bowland](#), [Non-Disclosure](#)



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The Latest AIDS Crimes and Arrest Reports

Home Creep of the Week Certified Psycho Teeth of Terror Exposure By The Hour Bad Role Model AIDS Law Resources

Saturday, May 15, 2010

Steven Paul Boone of Ottawa

4:13 AM | Posted by Beverly AIDS Cop

Steven Paul Boone of Ottawa, Ontario is facing an ever growing list of charges as men continue to come forward claiming to have had sex with him. His latest victim in an anonymous 22 year old man who was recently diagnosed as HIV positive and believes to have contracted the virus during a "moment of lust" back in May of 2009.

Boone was also charged on May 6, 2010 with nine counts of sexual assault for failing to disclose his status to a victim who was just 17 at the time of his exposure. All of this coming after participating in a four way tea...

[Steven Paul Boone Arrest Report](#)

Labels: [Gay](#), [Non-Disclosure](#), [Steven Paul Boone](#)

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This Game Is Too Naughty To Be Free

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[Carl Jackson](#) (1)

[Carla Denise Miles](#) (1)

[Daniel Paul Hedge](#) (1)

[Darren Chiacchia](#) (1)

[Eneydi Elsie Torres](#) (1)

[Equestrian](#) (1)

[Ernest Tyrone Ricks](#) (1)

[Esther Mondasir](#) (1)

[Fugitive](#) (1)

[Godfrey Zaburoni](#) (1)

[Gregory Leroy Childs](#) (1)

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Preview

SECTION 4

Intent to Resume Site Operations

“Cyrus scored on the ‘superior’ range on an intelligence test he was recently given. . . I knew he was smart, but not that smart.” - Kevin Demer

[REDACTED]

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PAGE 1 OF 1

Call us Now!

866-848-6022

STDCarriers.com admin Cyrus Sullivan goes to jail

by Jake Remove Names on Jul 12, 2012 • Comments Closed • cyrus sullivan, cyrus sullivan arrested, illegalalienreport.com, stdcarriers.com

Resources

Cyrus Sullivan of STDCarriers.com goes to Jail

Guest Blogger -Jim Ransik

After allegedly contracting the herpes virus from a woman who he had sex with, Oregon native Cyrus Sullivan created a website which essentially, "outs," those who have Sexually Transmitted Diseases. Following along the same premise as the anonymous cheater reporting sites, bully sites and many more these STD sites are now popping up like wildfire. He also operates a website called IllegalAlienReport.com where you can anonymously report someone who you 'believe' may be or look like an illegal alien.

Cyrus Sullivan was arrested on June 8 2012. Below is some information we have gathered online about the case.

Cyrus Sullivan was in court Friday and charged with coercion, identity theft and felony computer crime.

[Click here for Mugshot information.](#)

Investigators say 28-year-old Cyrus Sullivan threatened to kill a person he believed was speaking out against him online.

Sullivan owns and operates a controversial website called stdcarriers.com.

The site allows people to report men or women they believe are carrying or possibly giving others STD's.

Sullivan has been criticized for posting information he can't verify.

Sullivan lives in southeast Portland.

Portland police arrested him Thursday night charging him with identity theft, coercion and computer crime.

According to court documents he told the victim to provide proof that the person wasn't the one speaking out against him online or he would post what he would call that person's STD report.

Then investigators say he demanded 10,000 dollars.

When the person didn't pay, investigators say he threatened to kill that person.



Cyrus Sullivan of STDCarriers.com

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RemoveNames.com

9 August at 18:38

Podcast Interview with our President & CEO Mr. Jake Lawson on EPN Podcast Network.

<http://www.removeNames.com/an-in-depth-look-into-reputatio.../>



Remove Names will Improve what people see when they Google you!

We REMOVE FALSE information, reputation attacks, and smear campaigns that are damaging your business, your name, and your career.

Located in Baltimore, Maryland, we combine experience and

EXHIBIT

PAGE

OF

Page 1

Dear [REDACTED]

After what that Judge philled after being played by my stalker ~~there~~ there is no reason to expect me to be released, so I need you to do me some favors. The first favor is to re-activate my server using the following steps,

1. Go to manse.lwovps.com/ip
2. Use the following to login

Username:

PW:

3. Make a payment for this month \$105 and next month \$155 if possible, (this month's billing cycle is 6/18-7/18).

4. Submit a support ticket and mark it as critical. In the ticket ask that the server be turned back on.

even if you have [REDACTED]

on [REDACTED] I would rather [REDACTED] make sure my sites stay up and

worthless as she presented no counter-argument and never questioned the claims of my stalker, since she failed to [REDACTED] her.

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PAGE 2 OF 1

Dear

your help in these dark times has been much appreciated. Once you talk to [REDACTED] and get the server back up I need you to [REDACTED]

involving threatening communications.
Then I want you to

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Kani White Complaint

20 Reasons To fire Kani White, In Chronological order,

1. ~~#~~ Refused To transmit sensitive data vital To business operations,
2. ~~m~~ failed To schedule a release hearing ASAP,
3. ~~J~~ Justified her failure for reason 2 based on DDA Dener being out of town even though she knew he had someone filling in for him.
4. failed To schedule a release hearing by 6/18 when being given that deadline over a week in advance.
5. Dragged her feet With multiple excuses for not scheduling a hearing until 7/5.
6. Has never met with me personally before or since the hearing.
7. She failed to review audio tapes before the hearing.
8. failed to rebut claims by the Prosecution made at the hearing as a result of the tapes reviewed in reason 7.

EXHIBIT

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PAGE

OF

3

STEVEN T. WAX
Federal Public Defender
STEPHEN R. SADY
Chief Deputy Defender
Bryan E. Lessley ▲
Christopher J. Schatz
Ellen C. Pitcher
Craig Weinerman ▲
Mark Bennett Weintraub ▲
Gerald M. Needham
Thomas J. Hester
Ruben L. Iniguez
Anthony D. Bornstein
Lisa Hay
Tonia L. Moro +
Susan Russell
Patrick Ehlers
Francesca Freccero

FEDERAL PUBLIC
DEFENDER
DISTRICT OF OREGON

101 SW Main Street, Suite 1700
Portland OR 97204
503-326-2123 / Fax 503-326-5524

Branch Offices:

859 Willamette Street
Suite 200
Eugene, OR 97401
541-465-6937
Fax 541-465-6975

15 Newtown Street
Medford, OR 97501
541-776-3630
Fax 541-776-3624

C. Renée Manes
Amy Baggio
Nell Brown
Kristina Hellman
Harold DuCloux III
Alison M. Clark
Brian Butler+
Thomas E. Price
Michelle Sweet ★
Banu Ramachandran ★

In memoriam
Nancy Bergeson
1951 - 2009

▲ Eugene Office
+ Medford Office
★ Research/Writing Attorney

August 24, 2012

Mr. Cyrus Andrew Sullivan
SWIS # 677564
Hand Delivered
LEGAL MAIL

LEGAL MAIL
ATTORNEY-CLIENT MATERIAL
OPEN IN PRESENCE OF
INMATE ONLY

Re: *United States v. Cyrus Andrew Sullivan*, No. 3:12-mj-00098

Dear Mr. Sullivan,

This is a letter to help better explain the law as it could relate

including Any information you provide regarding

is confidential, as is information about This

remains the case unless or until:

your

The latter would not be triggered unless

In no event would we be allowed to

It is imperative that you refrain from

August 24, 2012
Page 3

LEGAL MAIL
ATTORNEY-CLIENT MATERIAL
OPEN IN PRESENCE OF
INMATE ONLY

EXHIBIT

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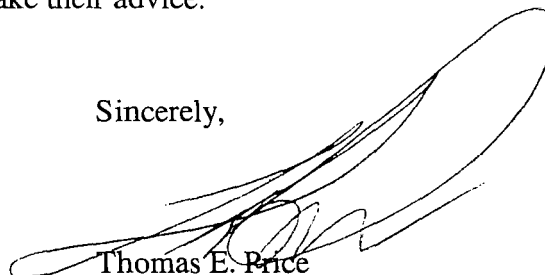
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3 OF 3

websites not be made operational, or on-line, at this point is that the government will try to use that fact against you including advocating for your continued detention or as evidence of your continued motivation to harm the victim or others.

Finally, we continue to urge you to convey any requests regarding what to do with your websites through your attorney or investigators. Communications with others, including your mother are not confidential and can and will be used by the government against you. All of your statements are potential weapons that the government will use against you in unpredictable ways. If we wind up spending all our time defusing your statements, we will have a much more difficult time doing anything else.

We continue to believe that any communications with the press would be against your best interests. Taking advice from, or communicating about your case to fellow inmates is unwise and against attorney advice. Beyond the fact that other inmates have no legal training or duty to you, none of those communications are confidential. Any inmate is free to repeat anything you say to authorities in order to gain an advantage in their own case. If you are worried about anything regarding your case you should talk to me, William, or Jim about it before deciding to share information with a fellow inmate or take their advice.

Sincerely,



Thomas E. Price
Assistant Federal Public Defender

TEP:cm

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More
Sidney, BC

LookupAnyone.com - People Directory - P... Qb...
www.lookupanyone.com/namelistings/p... Qb... h.html
Name, Age, State, P... J Ob... 48, IL, P... S Ob... 68, IN, P... Qb... 48, IL, P... Qb... CA. FIND MORE PEOPLE. First Name, MI, Last Name ...

The web.
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Canada

more search tools

FAMILY HISTORY PAGE L O B

https://pages.genealogy.rootsweb.ancestry.com/~joplunnier/f30032.htm...

4 Sep 2011 - **F L O B** - **barn** - **GENEALOGY. FAMILY HISTORY.**

PL [REDACTED] Ob [REDACTED] - San Marcos, CA | MyLife™
www.mylife.com/patty_obenlon
 Locate **PL [REDACTED] Ob [REDACTED]** online with our advanced people search tool. Find all your old friends and colleagues at MyLife™.

13 May 2012 -- Genital Herpes Outbreak Reported in P [REDACTED] OB [REDACTED] Published May 13, 2012
By STDReporting, "Has had 'breakouts' as long as I've known [REDACTED]"

About TrueCare, A Social Media Monitoring Company
 www.truecare.com/about-truecare
 Frames Del Mar Owner Mimi L. [REDACTED] Standering P. [REDACTED] Marc Lenoite Making False
 Statements about Pina O'Ba [REDACTED] The Harbinger: Bullying

PHILIP OBRIEN NatProspect - Business contact information...
 www.natprospects.com, 1-800-335-9954, United States
 Contact: **PHILIP OBRIEN**, Manager at Casey's General Stores Inc. part of Gas Stations,
 Convenience & Liquor Stores Industry in Ankeny, IA, as well as other...
 PHILIP OBRIEN

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5/23/12 Patty O'Banion | LiesChestersRU.com

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Posted By M [REDACTED] L [REDACTED]

LiarsCheatersRUs.com

Three examples of cheating-related items are shown: a book cover titled 'CHEATING HUSBAND', a circular sign with a diagonal line through it and the word 'CHEATING' inside, and a handwritten note that reads 'FOR THIS MARRY WITH MARRY IT'.

This woman sucked me into moving into her broken down house and ran it while she ran around screwing married men (with kids). I got me thousands to report all that was going with the house. I never got a penny because she was "unemployed". Meanwhile this tramp was having sex with her Captain, V.I. King. She is a screwball on a yacht known as the ****. She also slept with a woman who supposedly being faithful to me. Then took me court and had several times out and said me for money. Check her kings, she is quite me happy and her relationship and bad lady all the time. Also ask her about her "breakouts". Being a ***** makes your other regions all kinds of FLUBAIR. Do to trust the woman and her crazy going minor and sleazebag, it is all a ruse to look like you to serve her own financial goals.

Also, Althebra's row her family, she willmarie Betty have it is a five years and needs to find a man to take care her because the has no one to care for her when she is done with ME, should also ask did she a mess drunk and was a complete bitch to my eight year old son, never let's me when she doesn't know how to deal with male kids, ask her son, they had a terrible relationship, and he married someone so controlling as her, she always complained to you about her lack of a decent mother/son relationship. Keep her away from your kid, and the booze.....the drinks too much.

This post was submitted by jnn
 Category: California Law Chapter Worms
 Periodic
 Leave a Reply
 Your email address will not be published. Required fields are marked *
 Name *
 Email *
 Website

I contacted these
 people - they would NOT
 Remove the post thru
 the DNS owner.

~~3 NBC~~ Cheaternville.com is
connected to this site.
CAPTIA Code *
cheaternville.com/patty-obanion.html
IN BATTLE LIKE Jerry Springer.

EXHIBIT
PAGE

OF 1

From: [REDACTED]@eurovps.com]
Sent: Friday, October 26, 2012 5:34 AM
To: [REDACTED]
Subject: [eurovps.com # [REDACTED]] Cyrus Sullivan

Attachments: evwire.pdf; ar_doc_40116.pdf



evwire.pdf (20 KB)



(4 KB)

Hello,

Apologies in the delay to getting back to you, I have generated an invoice of 1275EUR for the renewal of your services for 6 Months, the system has sent the invoice to - [REDACTED] as it was stated under your account.

I have also attached the invoice and our Bank Transfer information.

Please let me know if you require further information,

[REDACTED]
Senior Customer Advocate
EuroVPS Internet Services

EXHIBIT

PAGE

1 OF 3

Per C. Olson / *Cyrus Andrew Sullivan*
 October 30, 2012
 Page five of eight

A. move to dismiss Case Number 12-06-32556 in the Circuit Court of the State of Oregon for Multnomah County in which defendant is charged with coercion, computer crime and identity theft;

B. move to dismiss Case Number 10-03-43325 in the Circuit Court of the State of Oregon for Multnomah County in which defendant is charged with recklessly endangering another person, disorderly conduct and criminal mischief, if defendant agrees to pay \$1,000 in restitution to the victim of that offense;

C. not file computer crime charges against defendant arising from an incident in March 2011 where the night after defendant was terminated from a Portland-based Internet company, he accessed without authorization, or "hacked" into, several commercial websites owned by the Internet company and posted offensive material and sent threatening emails to persons associated with the Internet Company;

D. not file witness tampering charges against defendant arising from a July 5, 2012 hearing in Case Number 12-06-32556 in the Circuit Court of the State of Oregon for Multnomah County during which defendant threatened to kill the victim of the offense and the judge presiding over the hearing.

11. **Agreement to abandon interest in domain names/websites:** Defendant agrees to abandon any interest he may have in the following domain names/websites and to have no communication with and to not facilitate any communication with such domain names/websites while under the jurisdiction of any federal court related to the instant case. Defendant also agrees to allow the Federal Bureau of Investigation to succeed his interest in such domain names/websites.

A. Parent Sites

- i. <http://sullivanbiztech.com>
- ii. <http://stdcarriers.com>
- iii. <http://cyberbullyingreport.com>
- iv. <http://nolimitlist.com>
- v. <http://stdmerchandise.com>
- vi. <http://stdreporting.com>
- vii. <http://illegalalienreport.com>
- ix. <http://daylabor.org>
- x. <http://cyrussullivan.net>
- xi. <http://bullyingnews.com>
- xii. <http://brokeborderpatrol.com>

B. Twitter Pages

- i. <http://twitter.com/stdatabase>
- ii. <http://twitter.com/alienreports>
- iii. <http://twitter.com/cyberbullyalert>

Per C. Olson / Cyrus Andrew Sullivan

October 30, 2012

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- iv. <http://twitter.com/nolimitlist>
- v. <http://twitter.com/stdmerchandise>
- vi. <http://twitter.com/cyrussullivan>

C. Facebook Pages:

- i. <https://www.facebook.com/pages/No-Limit-List/109439432458595>
- ii. <https://www.facebook.com/pages/Illegal-Alien-Report/130339360330352>
- iii. <https://www.facebook.com/pages/STD-Carriers-Disease-Control-and-Prevention-Services/168934559886090>

D. WordPress Pages:

- i. <http://cyberbullyingreport.wordpress.com>
- ii. <http://illegalalienreport.wordpress.com>
- iii. <http://nolimitlist.wordpress.com>
- iv. <http://stdcarriers.wordpress.com>
- v. <http://stdmerchandise.wordpress.com>
- vi. [REDACTED]

E. Blogspot Pages:

- i. <http://stdcarriers.blogspot.com>
- ii. <http://nolimitlist.blogspot.com>

F. Video Pages:

- i. <http://www.youtube.com/user/nolimitlist>
- ii. <http://www.dailymotion.com/STDCarriers>
- iii. www.youtube.com/user/stdcarriersdotcomorg
- iv. www.youtube.com/user/stdcarriersremixes3
- v. www.youtube.com/user/vdrecruitment
- vi. www.youtube.com/user/davidhasselhoffdrunk
- vii. <http://www.youtube.com/user/illegalalienreport>

G. MySpace Pages:

- i. <http://www.myspace.com/nolimitlist>
- ii. <http://www.myspace.com/stdatabase>

H. Other Pages:

- i. <http://stdcarriers.typepad.com>
- ii. <http://stdcarriers.vox.com>
- iii. <http://disqus.com/STDCarriers>

12. **Restitution:** Defendant agrees, pursuant to 18 U.S.C. § 3663A, to pay full and complete restitution as a condition of any sentence imposed in this matter to the victims of his offense. Defendant also agrees, pursuant to 18 U.S.C. § 3663, to pay \$1,000 to the victim of Case Number 10-03-43325 in the Circuit Court of the State of Oregon for Multnomah County in which defendant is charged with recklessly endangering another person, disorderly conduct and criminal mischief.

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COUNT 2
[INTERNET STALKING]

On or between August 11, 2009 and June 7, 2012, in the District of Oregon, defendant Cyrus Andrew Sullivan engaged in a course of conduct with the intent to cause substantial emotional distress to persons in other States, to wit, posting and facilitating the posting of malicious information on the Internet about persons in other States and requiring them to pay defendant Cyrus Andrew Sullivan sums of money in order to have the information removed from the Internet. In doing so, defendant Cyrus Andrew Sullivan used an interactive computer service or a facility of interstate commerce, to wit the Internet, to engage in the course of conduct, and his course of conduct caused substantial emotional distress to the persons in other States. All the aforementioned conduct was in violation of Title 18, United States Code, Sections 2261A(2)(A) and 2261(b)(5).

Dated this _____ day of October, 2012.

S. AMANDA MARSHALL
United States Attorney

SEAN B. HOAR
Assistant United States Attorney

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[REDACTED]
From: [REDACTED] [eurovps.com]
Sent: Tuesday, November 27, 2012 2:50 PM
To: [REDACTED]
Subject: [eurovps.com # [REDACTED]] Cyrus Sullivan

Hello,

I apologize in my delay in getting back to you but I had to talk to various members of our staff to get your account details.

The amount that should be allocated during that period is - 1,275.00 EUR

When amount is received, we will restore your services to a new VS8 on our Xen Servers or Cloud services if you would like. - I would suggest dealing with the costs of the new purchase once the latter matter is solved.

If the amount is required because you will be getting compensation for this period, then I will gladly be able to calculate a quote for you.

Best Regards,

[REDACTED]
Senior Customer Advocate
EuroVPS Internet Services

EXHIBIT

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1 OF 1

From: [REDACTED]

Sent: Monday, January 21, 2013 12:11 PM

To: [REDACTED]@eurovps.com

Subject: Eurovps.com # [REDACTED] Cyrus Sullivan

Our last communications were in November 2012. Thank you for clarifying the pricing 1,275.00 EUR to bring the account current. It would be more helpful if a detailed invoice was available.

Still, the amount is clear for that period. It is looking like this will be possible. Cyrus would like an Invoice that includes the current due with 6 months of hosting his sites with Windows VPS 800 Plan. Thank you.

Sent from my Verizon Wireless 4G LTE Smartphon

1/21/2013

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From: [REDACTED]@eurovps.com>
Sent: Wednesday, January 23, 2013 5:14 AM
To: [REDACTED]
Subject: [REDACTED]eurovps.com [REDACTED]Eurovps.com # [REDACTED]Cyrus Sullivan
Attachments: [REDACTED]ar_doc_40116.pdf

Hello,

Thank you for contacting EuroVPS Administration, I have attached the requested invoice in PDF format for Mr. Cyrus Sullivan to look over. This is for the renewal of services of 6 months - if you have any questions feel free to ask.

Best Regards,

[REDACTED]
EuroVPS Sales/Administration
Department Manager

EXHIBIT

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OF

As you've noticed, I am very divided in all of this. Nothing is simple. Under the circumstances, I won't take up your time with my perspective of things.

Thank you.

From: DEMER Kevin [mailto:Kevin.DEMER@mcda.us]

Sent: Wednesday, February 13, 2013 3:59 PM

Subject: RE: Cyrus A. Sullivan -- DA Case: 2245543-1 Court: 12-06-32556

trial is still set then, but he will be in federal custody after he serves the sentence from his most recent conviction. The federal case will trump my case. My current felony case will be dismissed at some point, but there are other possible charges.

Regrettably, he will now spend more time in custody and have more convictions on his record. Plus, the longer his prison sentence the more likely it is that he will be moved around among different prison facilities. He could end up on the east coast.

I cannot stress enough to you, that you should never, ever, do anything on-line or on the internet for the benefit or the request of Cyrus while he is in custody. It just will make things worse for him and possibly for you. I am sure that if you spoke to his attorneys that they would tell you the same thing. You do not want to get swept up in this.

His sentencing is set for Friday at 8:30 before Judge Lopez in room 324.

Kevin

Kevin Demer
Deputy District Attorney Multnomah County Unit A
1021 SW 4th Avenue, Suite 800
Portland, Oregon 97204
Voice: 503-988-3922
Fax: 503-988-3947
Intercounty: 101/600/Demer

From: [REDACTED]
Sent: Wednesday, February 13, 2013 1:55 PM

To: DEMER Kevin

Subject: Cyrus A. Sullivan -- DA Case: 2245543-1 Court: 12-06-32556

EXHIBIT 106PAGE 2 OF 2

From: [REDACTED]
 Sent: Wednesday, February 13, 2013 4:52 PM
 To: 'DEMER Kevin'
 Subject: RE: Cyrus A. Sullivan -- DA Case: 2245543-1 Court: 12-06-32556

Thank you.

From: DEMER Kevin [mailto:Kevin.DEMER@mcda.us]

Sent: Wednesday, February 13, 2013 4:44 PM

Subject: RE: Cyrus A. Sullivan -- DA Case: 2245543-1 Court: 12-06-32556

1. Witness tampering and contempt of court, along with more computer crime for how he [REDACTED]
2. There are 17 or so state prisons in Oregon. They move people around based upon many factors. The federal system is much larger, and my experience has been that the longer the sentence, the more likely it is that you are moved around for both state and federal cases. Additionally, they have population issues and treatment issues, and that has an impact upon placement. Obviously, prisoners do not get to decide where they are housed. (At least in the federal system, the food both tastes better and is more healthy – with the current fare Cyrus has added several pounds.)
3. We try to resolve cases whenever possible. It makes sense for everyone, including the tax payers. My case was a smaller part of a much larger case. A federal judge told Cyrus that, a federal public defendant told Cyrus that, and of course myself and Mr. Sugarman told Cyrus that.
4. I think that will be moot, so I avoided it since the answer is complex and not that helpful.

I welcome your perspective. You know him better than anyone. Cyrus scored on the "superior" range on an intelligence test he was recently given. (His "diminished capacity defense" failed in his trial this week.) I knew he was smart, but not that smart. Usually I am able to reason with people and I am disappointed that it did not work out with Cyrus.

[REDACTED] There is no doubt in my mind that he will spend more time in prison now that he rejected a global deal. He considers his websites / "company" as his child, and is extremely protective of it, and doesn't want to give up the current websites. We are not trying to bar his work in this field, just make it so it is less offensive and not criminal. But he is a very competent adult and can pick his future.

Kevin

From: [REDACTED]
 Sent: Wednesday, February 13, 2013 4:23 PM
 To: DEMER Kevin
 Subject: RE: Cyrus A. Sullivan -- DA Case: 2245543-1 Court: 12-06-32556

1. So, what "other possible charges"?
2. Why would he be moved around the country when a Federal prison is located in Oregon?
3. Why is it the State of Oregon has not just attended to the felony charges?
4. What about my question about the subpoena I just got?

EXHIBIT

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From: [REDACTED]
Sent: Friday, March 22, 2013 3:49 PM
To: 'Lisa Ludwig'
Cc: polson@hoevet-boise.com
Subject: RE: Cyrus A. Sullivan 677564

Thank you, Lisa. Property rights was exactly what I thought I was doing when I previously renewed 3 or 4 of his domain names and which got Mr. Demer very upset about and emailed me a warning on the subject as well. I did it then to give Cy some sense of relief as well. I don't believe a person should lose everything while they are in jail awaiting their trial. I have no problem assisting on this limited basis for a domain name renewal. I will try to do it tonight or tomorrow. Now, if I get arrested or accused on this, **your my attorney**.

Per, I just spoke with Cy today. Again, it was hard to understand all that he was saying because of the line/volume. He says you experienced the same problem with hearing him on the phone. I spoke with the service I use for accepting inmate calls and advised them about this. They are going to look into it including contacting Columbia County Jail since it's possible the phone volume is set wrong, needs a repair, or is being selectively controlled at the jail's end. I stressed the problem is very bad and could impact their business. I'll follow-up on this early next week.

Have a nice weekend.

Mail to: [REDACTED]

From: Lisa Ludwig [mailto:lisa@ludwiglegaldefense.com]
Sent: Friday, March 22, 2013 3:20 PM
Subject: RE: Cyrus A. Sullivan 677564

Hi there, I just spoke with Per and he caught me up a little on what is going on, and specifically the issue of whether there could be any legal problems for you if you renew the domain name for sullivanbiztech.com (or similar). Based on what Per describes, I don't see any reason it would be a problem for you to do that. It sounds like the purpose would only be to protect Cyrus' proprietary information, and it might give him some valuable sense of security about the issue.

I hope things are going well for you otherwise. I understand there will be another release hearing, so please let me know if you want to chat before then or have any questions. Take care, Lisa

Sent: Thursday, March 21, 2013 5:07 PM
To: Per Olson

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Per C. Olson / Cyrus Andrew Sullivan
April 12, 2013
Page three of five

6. **No Prosecution**: The USAO agrees not to bring additional charges against defendant in the District of Oregon arising out of this investigation and known to the USAO at the time of this agreement.

7. **Sentencing Factors**: The parties agree to litigate the determination of the applicable advisory guideline range and the relevant factors under 18 U.S.C. § 3553(a). The United States will likely recommend the following provisions:

a. **Base offense level**: The USAO will recommend, pursuant to U.S.S.G. § 2A6.1(a)(1), that the base offense level is 12 because the offense of conviction is making a threatening communication.

b. **Conduct evidencing threat**: The USAO will recommend, pursuant to U.S.S.G. § 2A6.1(b)(1), that the offense level be increased six (6) levels because the offense involved conduct evidencing an intent to carry out the threat.

c. **Multiple threats**: The USAO will recommend, pursuant to U.S.S.G. § 2A6.1(b)(2), that the offense level be increased two (2) levels because the offense involved more than two threats.

d. **Obstruction of justice**: The USAO will recommend, pursuant to U.S.S.G. § 3C1.1, that defendant's offense level be increased two (2) levels for obstructing or impeding the administration of justice.

8. **Acceptance of Responsibility**: Defendant must demonstrate to the Court that he fully admits and accepts responsibility under U.S.S.G. § 3E1.1 for his unlawful conduct in this case. If defendant does so, the USAO will recommend a three (3) level reduction in his offense level if it is 16 or greater, or a two (2) level reduction if it is 15 or less. The USAO reserves the right to change this recommendation if defendant, between plea and sentencing, commits any criminal offense, obstructs or attempts to obstruct justice as explained in U.S.S.G. § 3C1.1, or acts inconsistently with acceptance of responsibility as explained in U.S.S.G. § 3E1.1.

9. **Conditions of sentence/supervised release**: Among other things, the USAO will recommend that defendant be prohibited from accessing any online computer service or using or possessing any computers, including any handheld or electronic device capable of connecting to any online service or data storage medium, without the prior written approval of the respective U.S. Probation Officer. The USAO understands that defendant will likely object to this recommendation.

10. **Restitution**: Defendant agrees, pursuant to 18 U.S.C. § 3663A, to pay full and complete restitution as a condition of any sentence imposed in this matter to the victim of his offense if defendant is shown to be a proximate cause of any economic loss incurred by the victim.

11. **Detention/Removal of Information Disparaging to Victim**: Defendant agrees to not seek release from custody pending sentencing. Additionally, prior to sentencing, he agrees to remove or facilitate the removal of any information disparaging to the victim of his offense which was posted on the Internet by him or through websites under his control. The USAO will

E.C.A. 45

Edie Frolichman
RE: Cyrus Sullivan
June 21, 2013
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OF

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defendant's unwillingness to delete the posting without charge. Rather, as she states in her victim impact statement, it was an attempt to divert defendant's attention to her, and away from his other "victims," as she characterizes it.

Recommended Conditions of Supervision. Defendant objects to conditions that significantly limit or restrict his access to computers or the internet. Also, condition # 11 does not need to be part of supervised release. In the plea agreement, defendant agreed to assist in the removal of web postings about Amanda, but that is to occur before sentencing with the assistance of a government agent. Also, the government was required to ask Amanda to remove her offending posts about defendant.

Release status. I'd like to work on this paragraph to maximize the chance that the BOP will properly account for credit for time served. On June 7, 2012, defendant was arrested on the new state charge of Coercion. (He was arrested on the 7th, but may not have been formally booked until the 8th). He was not arrested on a Multnomah County bench warrant that day. I think you're referring to the warrant that had issued for defendant's failure to appear on the misdemeanor case later referenced in paragraph 44. However, defendant had turned himself in on that warrant on or about May 20, 2012, and the warrant was extinguished. He appeared in court again on June 1, 2012. (See OJIN on Case No. 10-03-43325). So on June 7, when he was arrested on the Coercion charge, there was no outstanding bench warrant. From June 7 onwards, until he was transferred to the U.S. Marshals Service on February 26, 2013, he was held primarily on the state Coercion charge. Please make clear that the state Coercion charge that was dismissed involved the same conduct that gave rise to the current federal prosecution. Also, please make clear that the USM placed a hold on him on or about June 15, 2012, when the federal criminal complaint was filed (Case Number 12-MJ-098).

Paragraph 10: Second sentence, the word "several" should be replaced with "two" as there were only two websites that fit that description. Third sentence, the phrase that begins, "that they were free of..." should read, "that they were free of sexually transmitted diseases or [not and] pay a **different Sullivan controlled website that provided reputation management services ...**" Also, at the end of the paragraph add, "Alternatively, the person who originally posted the information could remove it at any time by accessing the website with his or her log in information. Sullivan's website encouraged people to resolve disputes this way."

Paragraph 11: At the end of this paragraph, please add that defendant could not verify the authenticity of the October 4 email because it was an address that was different from the one Groff used to open his account with the website. Defendant made efforts to have Groff send the email from the verified source, and defendant ultimately was able to verify it in June of 2012. Groff could have removed the posting at any time by logging in with his user name, and deleting the post.

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UNITED STATES DISTRICT COURT
U.S. Probation Office—District of Oregon
ADDENDUM

In the matter of: **U.S.A. v. CYRUS ANDREW SULLIVAN**
Criminal Case No: **0979 3:13CR00064-1**

The presentence report was made available to both counsels on May 23, 2013. This addendum was furnished to both counsels on June 27, 2013.

REVISIONS
By The Probation Officer

Rationale: At the request of defense counsel, the word "bomb" has been replaced with "destructive device."

Release Status: Information contained in this paragraph has been clarified.

Paragraph 21: Reference to an outstanding bench warrant has been deleted.

Paragraph 25: Information regarding threats made by the defendant in Multnomah County Circuit Court has been added.

RESOLVED OBJECTIONS

Paragraphs 10, 17-20: At the request of defense counsel, wording regarding Sullivan's websites, the sequence of e-mails, and the content of those e-mails has been clarified.

ADDITIONAL INFORMATION

Rationale, Paragraphs 10, 11, 15, 19, 20, 21, 22, and 24: Defense counsel has provided additional information regarding how information could be deleted from Sullivan's website and Sullivan's explanation that the victim's ex-boyfriend could have deleted it, additional information contained in the e-mails exchanged between the defendant and the victim, evidence as to whether or not the defendant took steps to carry out his threats, statements made by detectives when the defendant was interviewed, the defendant's behavior at a Multnomah County Circuit Court hearing, and information contained in the victim impact statement that does not pertain directly to the defendant.

UNRESOLVED OBJECTIONS
By Defense Counsel

Sentencing Recommendation: The defendant objects to conditions of supervision that significantly limit or restrict his access to computers or the internet, and also objects to the recommended condition that he assist in the removal of web postings about the victim, stating that removal of postings regarding the victim is part of the plea agreement and will occur prior to sentencing.

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RE: SULLIVAN, Cyrus Andrew

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The special condition regarding the defendant's computer and internet use are recommended due to identifiable risks to the community based on the defendant's conduct in the instant offense and personal history. These conditions are intended to assist in the rehabilitation of the defendant and to aid in the protection of society. The other condition to which defense counsel objects, the condition requiring the defendant to remove and/or facilitate the removal of all websites referring to Amanda Machina Falke, maiden name Amanda Kelly, is reflected in the plea agreement. If the postings are removed prior to sentencing as contemplated in the plea agreement, there is no harm. If they are not deleted, the probation officer will be able to enforce the condition upon the defendant's release from custody. The recommended conditions have not been changed. This is an issue for the Court to decide.

Paragraph 25: Defense counsel indicates that the conduct reflected in that paragraph is different from the conduct considered by the government in recommending this enhancement. He is correct. The conduct considered by the government has been added. Counsel also states that in the defendant's recorded telephone call to the investigator, "...there was a passing reference to 'the police,' the thrust of this message was to cause Darling to call Amanda and tell her..."

I continue to believe that the content of the message, as well as the defendant's conduct at the July 6, 2012, Multnomah County Circuit Court hearing, was meant to unlawfully influence both the investigator and the victim. Pursuant to USSG § 3C1.1, Application Note #4, I believe a 2-level enhancement should be applied to the advisory guideline level. This is an issue for the Court to decide.

Paragraph 29: Defense counsel objects to the 6-level enhancement for conduct evidencing an intent to carry out the threat, stating the defendant was attempting to make his original threat all the more convincing, and is not evidence that the defendant intended to carry out his threat.

I continue to believe that the conduct reflected in this paragraph evidences the defendant's intent to carry out his threats, and that this enhancement applies. This is an issue for the Court to decide.

Paragraph 30: Defense counsel objects to the enhancement stating that only one "true" threat was made. He indicates that the victim's response to one of the threats that she was unafraid means it was not a threat.

As stated in the paragraph, I believe that the defendant made three separate threats via e-mail and one via voice mail. I do not believe that a victim's statement that she is unafraid renders a threat moot. I continue to believe that this enhancement applies. This is an issue for the Court to decide.

Any letters received from counsels are attached.

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Portland man who ran controversial website sentenced to two years for threats against woman

By **Helen Jung** | hjung@oregonian.com[Email the author](#) | [Follow on Twitter](#)

on July 18, 2013 at 4:49 PM, updated July 20, 2013 at 5:58 PM

Sitting in court, Cyrus A. Sullivan muttered under his breath, warned a federal judge that he would not forgive his lack of "good judgment," and flipped off the woman whom he had been convicted of threatening.

Then, as U.S. Marshals came to lead the 30-year-old Portland man off to jail, he angrily swatted a cup of water across the table before being handcuffed and warned that he could be tased.

Sullivan, his attorney had told the judge just a few minutes prior, "has a way of expressing himself that gets him in trouble."

It also has landed him behind bars. U.S. District Judge Marco Hernandez sentenced Sullivan to two years in prison for threatening a woman in a running dispute over his controversial stdcarriers.com website. The site allows people to post names of people who allegedly have a sexually transmitted disease, and the woman's name had been falsely added by an ex-boyfriend who had previously been convicted of telephonically harassing her.

Hernandez also ordered three years of supervised release after Sullivan completes his prison term. As part of that release, Hernandez said Sullivan may not use computers or similar devices without the written approval of his probation officer in hopes of ensuring that Sullivan doesn't revive the site, which has gained national notoriety, and was featured on CNN.

"I am taking it away," Hernandez said, of the website. Sullivan, however, maintained that "I will run it till the day I die."

The sentencing comes almost two years after the victim learned that her name had been added to the site in September 2011. She sought to have Sullivan remove it, but he did not for several months, according to his court-appointed attorney, Per Olson. Sullivan's policy was to remove postings only if people submitted medical records to him showing they did not have a sexually transmitted disease or if they paid him fees of up to \$1,000, Olson wrote in court filings.

Sullivan's refusal to take down her name prompted the victim to fight back, Assistant U.S. Attorney Sean Hoar said.

She also took to the Internet in the escalating conflict, said Sullivan's attorney. The victim anonymously posted Sullivan's personal information including mental health diagnoses, which are believed to have been taken from court documents, he said.

She also anonymously put up taunting videos on YouTube that targeted Sullivan and anonymously sent him an email that included profanity, predictions that he would be abused by convicts in prison and a threat that "we can find you. We can find your family too."

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The victim also contacted the state's consumer protection division, which had received numerous complaints about the website, for help in dealing with Sullivan.

But last June, Sullivan sent a series of threatening emails to the victim, Hoar said, including some on June 4 that triggered an arrest by police a few days later.

In one e-mail sent that day, Sullivan said "You just don't learn your lessons do you? Now I have no choice but to come to your house armed and put an end to you once and for all. The only way you can stop this is by removing your stalker site and paying me \$10,000. You don't have a choice."

He also left a message on the consumer protection investigator's voicemail the next morning saying that he had "put in motions that will kill" the victim, whom he characterized as a "stalker," within 24 hours. He also warned him not to include the police or he too would be targeted.

That, as well as behavior at an earlier Multnomah County Circuit court appearance in which he cocked his hand like a pistol at the victim and yelled at the judge, contributed to the two-year prison term from Hernandez. Two years was the top of the sentencing range under federal guidelines for his conviction of making a threatening communication.

Prior to sentencing, Sullivan addressed Hernandez, saying that he was "sorry that I lost my cool." But Hernandez said that Sullivan seemed to offer only excuses for his threatening behavior that he had been drunk at the time or that he had a short temper. He said nothing to assure the court that he would refrain from such behavior again, Hernandez said.

He also referenced the victim's fear that Sullivan will again target her once he is out of prison. People who experience burglaries, the judge noted, feel violated forever. In the victim's case, "You violated her sense of security in a much more personal and profound way."

The judge imposed several other conditions for his supervised release, including requiring him to allow a search of his computer or other devices if there's reasonable suspicion that he has violated his release. In addition, he is prohibited from having a third-party access computer services for him.

██████████ renewed the registration for the domain names of some of Sullivan's websites, although the registration for STDCarriers.com has not yet expired, said Sullivan's lawyer, Olson.

-- Helen Jung

This story has been corrected to note that Sullivan's registration of the STDCarriers.com website has not expired since he has been in custody.

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EXHIBIT

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OF

[REDACTED]
From: [REDACTED]@eurovps.com>
Sent: Friday, January 24, 2014 3:25 AM
To: [REDACTED]
Subject: [REDACTED] FW: Eurovps.com # [REDACTED] Cyrus Sullivan
Attachments: EuroVPS - PR [REDACTED].pdf

Hello,

In regards to your previous mail, we would prefer if you could make a bank wire transfer as this may be easier for you - to avoid having to log into [REDACTED] or pay via Credit Card in the control panel.

The invoice has been attached to this response, and the bank details can be found at the following link:
my.eurovps.com/bankdetails.pdf Do let us know if you require any further assistance in making the payment.

Best Regards,

--
[REDACTED]
EuroVPS Sales/Administration

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From: [REDACTED]@eurovps.com>
Sent: Friday, January 24, 2014 5:28 AM
To: [REDACTED]
Subject: [REDACTED]@eurovps.com # [REDACTED] FW: Eurovps.com # [REDACTED] Cyrus Sullivan

Hello,

Sorry I forgot to mention - in USD this would amount to \$1,745.97 according to the exchange rate (1 EUR = 1.36939 USD).

Regards,

--

[REDACTED]
EuroVPS Sales/Administration

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From: [REDACTED]@eurovps.com>
 Sent: Saturday, February 01, 2014 12:35 AM
 To: [REDACTED]
 Subject: [REDACTED]@eurovps.com # [REDACTED] RE: Invoice # [REDACTED] Unpaid Reminder

This invoice has been generated by the system automatically and the payment reminder has been also sent automatically. We have cancelled this invoice, so, please, don't worry about it.

You have all information needed for the payment from my colleague [REDACTED] in the other e-mail of yours, and you can proceed with the payment according to it.

If you have other questions, please, don't hesitate to ask!

On Sat Feb 01 02:28:01 2014 [REDACTED] wrote:

> I need to be certain that the invoice is only for paying past services
 > owed. I do not want to pay on the full amount if it will result in
 > activating the sites again. His case is having a Federal Appeal done,
 > so the sites need to remain dormant until the Appeal is heard by the
 > court.

>

> Thank you.

>

> From: [REDACTED]@eurovps.com]

> Sent: Tuesday, January 28, 2014 4:28 AM

> To: [REDACTED]

> Subject: Invoice # [REDACTED] Unpaid Reminder

>

>

> [http://www.eurovps.com/pages/mail_logo.png]<http://www.eurovps.com>

>

> [http://www.eurovps.com/pages/twitter.png]<http://www.twitter.com/euro

> vps> [http://www.eurovps.com/pages/facebook.png]

> <http://www.facebook.com/eurovps>

>

>

>

>

> [REDACTED]@eurovps.com<mailto:[REDACTED]@eurovps.com> | e:

> [REDACTED]@eurovps.com<mailto:[REDACTED]@eurovps.com>

> w: <http://www.eurovps.com>

>

>

>

>

euroVPS

The European Hosting Authority

Pro Forma Invoice

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Invoice

Date of Invoice 24/01/2014

Due Date 24/01/2014

To:Cyrus Sullivan
P.O. Box 86448Portland, Oregon, 97286
United States
VAT#**From:****Status: Unpaid****Balance: €1,275.00 EUR****Description****Taxed****Unit cost****Qty:****Price**

Legacy VPS Hosting-Windows VM800 (24/01/2014 - 23/01/2015)

Yes

€1,275.00 EUR

1.00

€1,275.00 EUR

Subtotal

€1,275.00 EUR

Credit

€0.00 EUR

Total**€1,275.00 EUR**

EXHIBIT

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OF

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

UNITED STATES,

Plaintiff-Respondent

v.

CYRUS ANDREW SULLIVAN,

Defendant-Appellant.

CA No. 13-30207

APPELLANT'S OPENING BRIEF

JURISDICTION AND TIMELINESS

The District Court had jurisdiction pursuant to 18 U.S.C. §3231. This Court has jurisdiction pursuant to 28 U.S.C. §1291 and 18 U.S.C. §3742. Notice of appeal was timely filed pursuant to Fed.R.App.P 4(b) on July 29, 2013 from the

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judgment entered on July 19, 2013. *See Judgment* at ER 22-27, and *Notice of Appeal* at ER 28.¹

STATEMENT OF ISSUES

This is a criminal case, arising from a guilty plea and sentencing to the crime of Making a Threatening Communication, 18 U.S.C. §875(c). On appeal, defendant assigns error to a condition of probation imposed, specifically, special conditions 7 & 8 as set forth in the Judgment:

“7. The defendant is prohibited from using or possessing any computer(s) and/or directing third parties to do so on his behalf (including any handheld computing device, any electronic device capable of connecting to any on-line service, or any data storage media) without the prior written approval of the U.S. Probation Officer. This includes, but is not limited to, computers at public libraries, Internet cafes, or the defendant's place of employment or education.

“8. The defendant is prohibited from accessing any on-line computer service and/or directing third parties to do so on his behalf at any location (including employment or education) without the prior written approval of the U.S. Probation Officer.”

NATURE OF THE CASE

The government originally charged Appellant by way of indictment. *See Indictment* at ER 1-2. A superseding information was later filed. Appellant pled

¹ Excerpts of Record are cited as “ER” throughout this brief.

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guilty to a single count of Making a Threatening Communication, a violation of 18 U.S.C. §875(c). *See Superseding Information* at ER 3 and *Judgment* at ER 22-27. The plea agreement included a waiver of appellate rights. Appellant asserts on appeal the waiver does not apply to unlawful or unconstitutional conditions of release. The District Court imposed a sentence of 24 months, followed by three years supervised release with special conditions. On appeal, Appellant challenges two of the special conditions of release imposed.

CUSTODY STATUS

Appellant is in federal custody, incarcerated at Federal Correctional Institution Sheridan. His anticipated release date is July 2, 2014.

FACTUAL BACKGROUND

The Appellant in this case was the owner and operator of a number of controversial websites. One of those websites, <http://www.stdcarriers.com> garnered considerable national media attention. As discussed in the sentencing memorandum:

“Defendant began stdcarriers.com in 2008. It allowed registered users to post information about other persons’ status as carrying a sexually transmitted disease (STD). The account users who posted the information were required to read the ‘Terms of Use’ page on the website, which provided, among other things, that the user agreed not to include ‘false,

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deceptive, misleading, [or] deceitful' information. By using the site, the user also agreed not to 'stalk or harass anyone.'

"The 'Terms of Use' also stated that a user who violates the terms by posting false content would be required to pay liquidated damages of \$7,500 to the website and a minimum \$5,000 in damages to the defamed person. The 'Disclaimers' section on the website similarly advised that, although postings are published on the condition that they are true, such information could be false and the site 'does not assert that any person listed does in fact have a sexually transmitted disease * * *.' In sum, the site discouraged the posting of false reports, and at the same time, warned that it would be impossible for it to attest to the truthfulness of any information posted by the users.

"If a person found his or her name listed on the site as a person with an STD, that person had various options to seek the listing's removal. The person who originally posted the information could at any time remove the listing by simply logging into the site and deleting the posting. Defendant encouraged listed persons to talk with the person who posted the information about removing it. Alternatively, defendant would remove the posting if the listed person provided medical records showing the person did not have an STD.

"By early 2012, defendant had developed another option for persons listed on his STD site. He launched nolimitlist.com, which, among other functions, allowed users to clean up their online reputation by paying a fee of between \$400 to \$1000. Upon receipt of the fee, defendant would perform a function that would limit the ability of search engines like Google to lead web surfers to the person's name on the STD website, a sort of reverse form of search engine optimization."

Defendant's Sentencing Memorandum at 2-3.

The website, however, simply provides a background for the facts supporting the actual crime of conviction. One person listed on the site, A.K. contacted Appellant to remove her information. This began a long series of email interactions that eventually escalated to threats from both persons. Sentencing Tr at

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11. Ultimately, Appellant sent A.K. an email stating:

"You don't learn your lessons, do you? Now I have no choice but to come to your house armed and put an end to you once and for all."

Sentencing Tr at 7.

It was that email, and only that email, that formed the basis of Appellant's conviction.

SUMMARY OF THE ARGUMENT

Appellant's plea agreement contained an appellate waiver. However, that waiver does bar review of the issues in this case. This court has previously held that appellate waivers do not bar review of an unlawful sentence or condition of release. On appeal, Appellant asserts that two of the special conditions of release imposed are unlawful.

Special conditions 7 & 8 imposed by the District Court in this case are unlawful under statute and the Constitution. First, the conditions are unconstitutionally vague, and fail to give a reasonable person adequate notice of what conduct is prohibited. Second, the conditions infringe on Appellant's First Amendment rights, and as such must be narrowly tailored. The conditions fail this requirement. Finally, the District Court did not articulate a basis in the record for concluding that the conditions imposed involve no greater deprivation of liberty than is reasonably necessary.

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STANDARD OF REVIEW

Sentencing decisions are reviewed generally for abuse of discretion. *Gall v. United States*, 552 U.S. 38, 46 (2007); *United States v. Carty*, 520 F.3d 984, 993 (9th Cir. 2008) (*en banc*). A district court's factual findings underlying a sentence are reviewed for abuse of discretion. *Gall*, 552 U.S. at 46. In contrast, the interpretation and application of the United States Sentencing Guidelines are reviewed *de novo*. *United States v. Rivera*, 527 F.3d 891, 908 (9th Cir. (2008). Whether appellant has waived his right to appeal is reviewed *de novo*. *United States v. Jeronimo*, 398 F.3d 1149, 1153 (9th Cir.2005).

ARGUMENT

I. Waivers of appellate rights do not prohibit the appeal of an unlawful release condition

The plea agreement in this case contained a waiver of appeal:

“12. Waiver of Appeal/Post-Conviction Relief: Defendant knowingly and voluntarily waives the right to appeal from any aspect of the conviction and sentence on any grounds, except for a claim that the sentence imposed exceeds the statutory maximum penalty. Should defendant seek an appeal, despite this waiver, the USAO may take any position on any issue on appeal. Defendant also waives the right to file any collateral attack, including a motion under 28 U.S. C. § 2255, challenging any aspect of the conviction or sentence on any grounds, except on grounds of ineffective assistance of counsel, and except as provided in Fed. R. Crim. P. 33 and 18 U.S. C. § 3582(c)(2).”

Plea Agreement 4, ER 13-17.

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“A defendant's waiver of his appellate rights is enforceable if the language of the waiver encompasses his right to appeal on the grounds raised, and if the waiver was knowingly and voluntarily made.” *United States v. Joyce*, 357 F.3d 921, 922 (9th Cir.2004). Plea agreements are interpreted using contract principles with any ambiguity construed in the defendant's favor. *Id.* at 923. “The scope of a knowing and voluntary waiver is demonstrated by the express language of the plea agreement.” *United States v. Leniear*, 574 F.3d 668, 672 (9th Cir.2009) (internal quotation marks omitted). This Court has previously held that conditions of release are encompassed under the term “sentence” in an appeal waiver. *Joyce*, 357 F.3d at 924 (“[A] ‘sentence’ can include fines, periods of imprisonment and supervised release, and mandatory and special conditions of supervised release.”)

However, an appellate waiver will not bar review if the sentence imposed was unlawful:

“An appeal waiver will not apply if: 1) a defendant's guilty plea failed to comply with Fed.R.Crim.P. 11; 2) the sentencing judge informs a defendant that she retains the right to appeal; 3) the sentence does not comport with the terms of the plea agreement; or 4) the sentence violates the law. *See United States v. Portillo-Cano*, 192 F.3d 1246, 1252 (9th Cir.1999) (Rule 11); *United States v. Buchanan*, 59 F.3d 914, 917-18 (9th Cir.1995) (judge informed defendant that he retained his right to appeal); *United States v. Bolinger*, 940 F.2d 478, 479-80 (9th Cir.1991) (sentence not in accord with plea agreement); *United States v. Gordon*, 393 F.3d 1044, 1050 (9th Cir.2004) (illegal sentence).”

United States v. Bibler, 495 F.3d 621, 623-24 (9th Cir. 2007).

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Because an unlawful condition defeats the appellate waiver, the threshold question is whether the condition was lawful. *United States v. Watson*, 582 F.3d 974, 987 (9th Cir. 2009). A sentence is illegal if it exceeds the permissible statutory penalty for the crime or violates the Constitution. *United States v. Fowler*, 794 F.2d 1446, 1449 (9th Cir.1986). As Appellant argues below, the special conditions imposed in this case both exceed statutory authority, and violate the Constitution.

II. The arguments advanced on appeal are preserved; alternatively appellant asks this court to consider the matter as plain error

Defense counsel objected to the special conditions proposed in the PSR in his sentencing memorandum:

“Defendant does not believe that the computer related conditions proposed in the PSR are necessary for successful performance on supervised release. Defendant’s ability to earn an income would be tremendously impacted if he is not permitted to have access to computers or the Internet. Defendant understands that there may be some monitoring of his computer use, but *he objects to restrictions placed on his access to and maintenance of the various websites he has developed, none of which are illegal*. See *United States v. Riley*, 576 F3d 1046, 1048 (9th Cir. 2009) (prohibition on internet access to material relating to minors was too broad; special conditions of probation must be reasonably related to the goals of deterrence, protection of the public, and rehabilitation of the offender, and they must involve no greater deprivation of liberty than necessary to achieve those goals).”

Defendant’s Sentencing Memorandum at 20-21, ER 18-19 (emphasis added).

At sentencing, the Appellant himself voiced his objection to the conditions

in a spirited exchange with the District Court:

“[THE COURT]: What about the computer? Let's talk about that for a minute. I think you have a hard time kind of articulating yourself in front of a judge maybe or in front of other people, so let's move off into something that's a little maybe easier for you to talk about. Do you understand that I'm not going to let you use a computer as a condition of your supervised release? That's not happening without very, very specific controls and observations by somebody else. And the notion that you're going to continue with your website, it's not happening.

“Now, I don't want to get into a debate with you about whether that website as legal or not, whether you have a First Amendment right or not, because that's not important to me. I'll assume you did have a First Amendment right to run the kind of website you did. Let's operate under the assumption that it's completely legal -

“[THE DEFENDANT]: It is.

“[THE COURT]: -- other than the threatening parts of it. I'll assume you're right about that. We don't have to debate that. You abused that right. And once you abuse that right, you now give me the power to control whether or not you will do something that other people can legally do.

“Let me give you an example. When someone commits a DUI, does the Court have the authority to prohibit that person, over the age of 21, from consuming alcohol? It's legal, isn't it? Right?

“[THE DEFENDANT]: Right.

“[THE COURT]: The answer is yes, because they abused that right and privilege, and so the Court now has the ability to take it away.

“[THE DEFENDANT]: I did not abuse the website.

“[THE COURT]: I am taking it away from you.

“[THE DEFENDANT]: I did not abuse the website.

“[THE COURT]: I am taking it away from you.

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“[THE DEFENDANT]: I had every right to run that website, and I will run it until the day I die.

“[THE COURT]: Very well. I will take that into consideration in determining how long I will put you in prison.

“[THE DEFENDANT]: Fine.

“[THE COURT]: Is there anything else you want to tell me?

“[THE DEFENDANT]: No.”

Sentencing Tr 45-46, ER 20-21.

Appellant acknowledges that the objection to the conditions is brief.

However, as this court has held, a failure to object in such situations is not fatal.

“However, in *United States v. Consuelo-Gonzalez*, 521 F.2d 259 (9th Cir. 1975) (en banc), we rejected the theory that a probationer voluntarily waives his rights by failing, at the sentencing proceeding, to object properly to the conditions imposed...As a practical matter, a defendant's consent to a probation condition is likely to be nominal where consent is given only to avoid imprisonment.”

United States v. Pierce, 561 F.2d 735, 739 (9th Cir 1977) (internal citations omitted).

Alternatively, if this court finds the issue unpreserved, defendant asks this court to consider the issue as plain error, pursuant to Federal Rule of Criminal Procedure 52, which provides:

“(a) Harmless Error. Any error, defect, irregularity or variance which does not affect substantial rights shall be disregarded.

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“(b) Plain Error. Plain errors or defects affecting substantial rights may be noticed although they were not brought to the attention of the court.”

Fed. R. Cr. P. 52.

In applying plain error:

“There must be an ‘error’ that is ‘plain’ and that ‘affect[s] substantial rights.’ Moreover, Rule 52(b) leaves the decision to correct the forfeited error within the sound discretion of the court of appeals, and the court should not exercise that discretion unless the error ‘seriously affect[s] the fairness, integrity or public reputation of judicial proceedings.’ *United States v. Young*, 470 U.S. 1, 15, 105 S.Ct. 1038, 1046, 84 L.Ed.2d 1 (1985) (quoting *United States v. Atkinson*, 297 U.S. 157, 160, 56 S.Ct. 391, 392, 80 L.Ed. 555 (1936)).”

United States v. Olano, 507 U.S. 725, 731-32, 113 S. Ct. 1770, 123 L. Ed. 2d 508 (1993).

III. The special conditions of release imposed in this case are unlawful

The special conditions related to computer usage imposed in this case are unlawful in several respects. First, the conditions are unconstitutionally vague. Second, they impermissibly infringe on Appellant’s First Amendment rights. Finally, the District Court failed to articulate any basis justifying the infringement on Appellant’s rights.

a. The special conditions are unconstitutionally vague and deprive Appellant of reasonable notice.

Due Process requires that government imposed prohibitions be specific enough that they give a reasonable opportunity to know what is prohibited.

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“First, because we assume that man is free to steer between lawful and unlawful conduct, we insist that laws give the person of ordinary intelligence a reasonable opportunity to know what is prohibited, so that he may act accordingly.... Second, ... [a] vague law impermissibly delegates basic policy matters to policemen, judges, and juries for resolution on an *ad hoc* and subjective basis.... Third ... where a vague statute abuts upon sensitive areas of basic First Amendment freedoms, it operates to inhibit the exercise of [those] freedoms. “

Grayned v. City of Rockford, 408 U.S. 104, 108–09, 92 S.Ct. 2294, 33 L.Ed.2d 222 (1972) (internal citations and quotation marks omitted).

Vagueness applies to conditions of release. *See, e.g., United States v. Schave*, 186 F.3d 839 (7th Cir.1999) (citing *Birzon v. King*, 469 F.2d 1241, 1243 (2d Cir.1972)); *LoFranco v. United States Parole Comm'n*, 986 F.Supp. 796, 810–11 (S.D.N.Y.1997). A condition of release is unconstitutionally vague if it “either forbids or requires the doing of an act in terms so vague that men of common intelligence must necessarily guess at its meaning and differ as to its application.” *Connally v. General Constr. Co.*, 269 U.S. 385, 391, 46 S.Ct. 126, 70 L.Ed. 322 (1926); *United States v. Loy*, 237 F.3d 251, 262 (3d Cir. 2001); *United States v. Soltero*, 510 F.3d 858, 865–66 (9th Cir. 2007) (holding same).

This court has previously held that blanket prohibitions similar to the conditions imposed in this case were unconstitutionally vague. In *Stoterau*, a case involving child pornography, this court held:

“Condition 11 states that, ‘[t]he defendant shall not access via computer any material that relates to pornography of any kind.’ *Stoterau* argues that the word ‘pornography’ is too vague to put him on notice of what material is

prohibited. We have previously held in the supervised release context that the word ‘pornography,’ without more, is too vague to put the defendant on notice of ‘what conduct will result in his being returned to prison.’ * *United States v. Guagliardo*, 278 F.3d 868, 872 (9th Cir.2002). We explained:

“

“... Condition 11 here leaves Stoterau ‘in the untenable position of discovering the meaning of his supervised release condition only under continual threat of reimprisonment, in sequential hearings before the court.’ *Id.* (internal quotation marks omitted). Accordingly, following *Guagliardo*, we vacate this condition and remand for the district court to impose a condition with greater specificity.”

United States v. Stoterau, 524 F.3d 988, 1002-03 (9th Cir. 2008).

In this case, not only does the condition prohibit Appellant’s possession of virtually any modern appliance with a computer chip, it additionally prohibits anyone from using a computer at his discretion. When Appellant goes to the doctor, the office will look up his health records on a computer. Is that prohibited? When he goes to the DMV to renew his driver’s license, the employee will access his records online. Has Appellant violated probation? Is Appellant prohibited from using his Safeway Club Card, or his Debit card? When he swipes either he is using a computer device connected to the internet. The condition fails to guide a reasonable person in their daily activities.

Further, the fact that the conditions are modified by the potential involvement of a probation officer does not mitigate the problem. As this court has made clear:

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“A probationer must be put on clear notice of what conduct will (and will not) constitute a supervised release violation, a rule that is of particular importance when the condition seems to reach constitutionally protected conduct...An overly broad condition like this one cannot be ‘saved’ merely because the government promises to enforce it in a narrow manner.”

Soltero, 510 F.3d at 867; see also *Loy*, 237 F.3d at 266 (A vague supervised release condition “cannot be cured by allowing the probation officer an unfettered power of interpretation, as this would create one of the very problems against which the vagueness doctrine is meant to protect, *i.e.*, the delegation of ‘basic policy matters to policemen ... for resolution on an ad hoc and subjective basis.’ ”).

b. The special conditions are overly broad, not narrowly tailored, and unconstitutionally infringe on Appellants First Amendment rights of expression.

First, it is important to remind this court what is not in dispute in this case: the legality of Appellant’s websites. Appellant operated a series of websites that many people, the media, and the government found highly offensive and objectionable. Defendant, like Larry Flint and others before him, is unquestionably a provocateur. But it is without debate that the First Amendment protects “a wide variety of speech that listeners may consider deeply offensive, including statements that impugn another’s race or national origin or that denigrate religious beliefs.” *Saxe v. State Coll. Area Sch. Dist.*, 240 F.3d 200, 206 (3d Cir. 2001) citing *Brandenburg v. Ohio*, 395 U.S. 444, 89 S.Ct. 1827, 23 L.Ed.2d 430

(1969); *Cantwell v. Connecticut*, 310 U.S. 296, 60 S.Ct. 900, 84 L.Ed. 1213 (1940).

No court has ever held that Appellant's websites were illegal, or that the operation of those websites did not fall within the protections of the First Amendment. The record in this case is plain; the purpose of the release conditions sought by the government, and imposed by the District Court, serve as an end-run. The District court made that clear when it said "the notion that you're going to continue with your website, it's not happening... I am taking it away from you." Sentencing Tr 45-46. Unable to shut down the websites, the District Court ordered the site's owner to not have any contact with computer equipment, or direct anyone else to do so. This effectively shuts Appellant out from his otherwise lawfully protected First Amendment activity.

Turning to the release conditions themselves, a condition is within the court's discretion if two criteria are met. First, the condition must be reasonably related to the factors set forth in 18 U.S.C. § 3553(a)(1) & (2)(B)-(D). In imposing conditions of supervised release, the sentencing court may consider: (1) the nature and circumstances of the offense and the history and characteristics of the defendant; and (2) the need for the condition to deter future criminal conduct, protect the public, and provide the defendant with necessary training, medical care, or other correctional treatment. *See* 18 U.S.C. § 3553(a)(1) & (2)(B)-(D).

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When a release condition infringes on a constitutionally protected right the condition must “involve ‘no greater deprivation of liberty than is reasonably necessary for the purposes’ of supervised release’-that is, to achieve deterrence, public protection, or offender rehabilitation.” *United States v. Sales*, 476 F.3d 732, 735 (9th Cir. 2007) (internal citations omitted). Further, a condition that restricts fundamental rights must be “narrowly tailored and ... directly related to deterring [the defendant] and protecting the public.” *United States v. Crandon*, 173 F.3d 122, 128 (3d Cir. 1999); see also *Sales*, 476 F.3d at 737 (condition “must be narrowly tailored-producing no greater deprivation of liberty than is reasonably necessary.’).

Even without Appellant’s history with his websites, just the general prohibition on computers implicates First Amendment concerns. Computers are the principle First Amendment medium of our age. *State v. Nordlund*, 113 Wash App 171, 181-82, 53 P 3d 520, 525 (2002) (noting the computer as “the modern day repository of a man's records, reflections, and conversations” and thus implicating the First Amendment), see also *United States v. Rearden*, 349 F.3d 608, 620 (9th Cir. 2003) (“We recognize the importance of the Internet for information and communication...”)

Courts afford heightened protection to First Amendment instruments. The warrantless seizure of such material is a form of prior restraint, a long disfavored practice. *Roaden v. Kentucky*, 413 U.S. 496, 503 (1973) (when an officer “br[ings]

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to an abrupt halt an orderly and presumptively legitimate distribution or exhibition” of material protected by the First Amendment, such action is “plainly a form of prior restraint and is, in those circumstances, unreasonable under Fourth Amendment standards.”). *See also Rossignol v. Voorhaar*, 316 F.3d 516, 522 (4th Cir. 2003) (Where sheriff’s deputies suppressed newspapers critical of the sheriff “before the critical commentary ever reached the eyes of readers, their conduct met the classic definition of a prior restraint.”)

The computer is now the dominant source of access to news, opinion, and critical information. It is how people order their lives. The computer accesses financial records, health records, and other critical life documents. The computer is the gateway to employment, both in searching for work, as well as applying for a job. Finally, the computer is a necessary mechanism for basic communication, staying in touch with relatives, and talking with loved ones. Because the computer is the nexus for a host of First Amendment activities, removing access to such a device can be permissible only in the most narrow of circumstances – circumstances not present in this case. When faced with a close call, “the First Amendment requires [courts] to err on the side of protecting * * * speech rather than suppressing it.” *Federal Election Commission v. Wisconsin Right to Life, Inc.*, 551 U.S. 449, 457 (2007). *See also Bertot v. School Dist. No. 1, Albany County, Wyo.*, 613 F.2d 245, 252 (10th Cir. 1979) (“We prefer that governmental officials

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acting in sensitive First Amendment areas err, when they do err, on the side of protecting those interests.”).

Courts have already prohibited such extreme computer restrictions in more serious cases such as child pornography. In *Freeman*, the Third Circuit struck down a ban on computer equipment identical to the one in this case:

“We also agree with *Freeman* that a special condition forbidding him from possessing any computer in his home or using any on-line computer service without the written approval of the probation officer is overly broad; it involves a greater deprivation of liberty than is reasonably necessary to deter future criminal conduct and to protect the public. 18 U.S.C. § 3553(a)(2). *United States v. Sofsky*, 287 F.3d 122, 124 (2d Cir.2002) (vacating condition that would require probation officer to approve all computer and internet access by a defendant who pled guilty to receiving child pornography over the internet).

“As in *Sofsky*, a total ban on internet access prevents use of email, an increasingly widely used form of communication, and other common-place computer uses such as getting a weather forecast or reading a newspaper online. *Id.* at 126. There is no need to cut off *Freeman*'s access to email or benign internet usage when a more focused restriction, limited to pornography sites and images, can be enforced by unannounced inspections of material stored on *Freeman*'s hard drive or removable disks. *Id.*

United States v. Freeman, 316 F.3d 386, 391-92 (3d Cir. 2003).

In this case, defendant was convicted of a single email threat, made to a single person. Defendant was not convicted of making mass threats via the internet. By analogy, if this were a child pornography case, would the ban on computers be reasonably related to the offense and narrowly tailored if defendant

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was in possession of a single illegal photograph? No case in any jurisdiction supports that conclusion. Likewise, a complete ban not only on computer possession or use by defendant, but by anyone acting on his behalf, is far too overbroad. It is not reasonably related to the offense, nor to the goals of protecting the public, and is not narrowly tailored to “involve ‘no greater deprivation of liberty than is reasonably necessary for the purposes’ of supervised release’-that is, to achieve deterrence, public protection, or offender rehabilitation.” *Sales*, 476 F.3d at 735.

a. The special conditions are not supported by an articulated basis in the record

A sentencing judge need not articulate the reasoning behind a special condition if the record is sufficient to deduce whether the court abused its discretion. *Watson*, 582 F.3d at 983 (9th Cir 2009). “However, to impose a condition that implicates a significant liberty interest, the district court must support its decision on the record with evidence justifying the condition.” *United States v. Daniels*, 541 F.3d 915, 924 (9th Cir.2008). Specifically, a District Court “must support its decision [to impose the condition] on the record with record evidence that the condition of supervised release sought to be imposed is necessary to accomplish one or more of the factors listed in § 3583(d)(1) and involves no greater deprivation of liberty than is reasonably necessary.” *United States v.*

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Stoterau, 524 F.3d 988, 1005 (9th Cir. 2008) citing *United States v. Weber*, 451 F.3d 552, 561 (9th Cir. 2006).

Here, the District Court offered no articulated rationale why the sweeping ban was necessary or warranted. No calculation was articulated about what limitations on computer usage would be necessary versus extreme. Rather, the District Court was simply fixated on “the notion that you're going to continue with your website, it's not happening... I am taking it away from you.” Sentencing Tr 45-46. That fails to satisfy the requirement of evidence in the record supporting that the restriction involves no greater deprivation of liberty than is reasonably necessary.

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CONCLUSION

For the foregoing reasons, the District Court erred in imposing the special conditions of release.

RESPECTFULLY SUBMITTED this 27th day of November, 2013.

/s/ Bronson James

Bronson James
Attorney for Defendant-Appellant

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From: [REDACTED]
Sent: Monday, May 05, 2014 5:42 PM
To: [REDACTED] <[REDACTED]@eurovps.com>
Subject: RE: [eurovps.com # [REDACTED]] Resolved: FW: Eurovps.com # [REDACTED] Cyrus Sullivan

Thank you. Would it be possible for an Invoice to be done that includes re-activation of the websites for a 6 months period?

I would like the option of paying the bill with inclusion of activation.

Thank you so much.

[REDACTED]
-----Original Message-----

[REDACTED] <[REDACTED]@eurovps.com>

Sent: Tuesday, April 29, 2014 12:05 AM

[REDACTED]
Subject: [eurovps.com # [REDACTED]] Resolved: FW: Eurovps.com # [REDACTED] Cyrus Sullivan

According to our records, your request has been resolved. If you have any further questions or concerns, please respond to this message.

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RE: SULLIVAN, Cyrus Andrew

The Offense Conduct

8. On July 19, 2013, The Honorable Marco A. Hernandez sentenced Cyrus Sullivan to 24 months in prison followed by three years supervised release after he was convicted of Making Threatening Communication in United States District Court case number 13CR00064-HZ. Sullivan was remanded to Bureau of Prisons (BOP) custody with an expected release date of July 2, 2014. Pursuant to BOP policy, on January 21, 2014, Sullivan was placed at the Northwest Residential Reentry Center (NWRRC) in Portland, Oregon, to begin the pre-release component of his sentence. The pre-release component is implemented to allow the inmate an opportunity to obtain the services and skills necessary to assimilate back into society following a custodial sentence.
9. Upon arrival at NWRRC, all rules and regulations of the program were discussed in their entirety with Sullivan, along with his conditions of supervised release which prohibited him from computer access. Sullivan was agitated that he could not access the computer nor could he obtain employment managing websites. Between January and April 2014, several meetings occurred between defendant, NWRRC staff and Senior U.S. Probation Officer Rene Worthey in an attempt to gain Sullivan's compliance with Court orders and to assure successful completion of his NWRRC program. During these meetings, Sullivan adamantly expressed his unwillingness to obtain employment that did not require internet access. NWRRC staff told Sullivan he was required to obtain approved employment within 30 days in order to continue his pre-release status at the residential re-entry facility. Sullivan however, refused to make accommodations that would allow him to successfully program while at NWRRC and maintain compliance with his release conditions.
10. Also while at NWRRC, defendant told staff that anyone who works against him will be "engaged in war." NWRRC staff reported that defendant said, "Rene Worthey is overstepping her authority and she needs to grow a fucking brain." He also noted that he moved his websites to Europe so the government could not "screw with him there." Sullivan acknowledged that when he is mad at people he curses and makes threats.
11. On April 21, 2014, defendant had a meeting with NWRRC Social Service Coordinator W.S. for the purpose of discussing Sullivan's non-compliance with job search expectations. W.S. and Sullivan were reviewing a NWRRC Resource Room Computer Use Contract which Sullivan had previously refused to sign, because it prohibited him from accessing his former e-mail accounts that he had previously used in criminal activities. During the review of this form, Sullivan became agitated and stated he would not sign the form as it was unconstitutional. He was defensive and W.S. noticed that his body language was tense, his jaw clenched, and his voice began to shake.
12. In an attempt to diffuse the situation, W.S. made an effort to empathize with defendant and asked open ended questions related to other forms of employment as she attempted to engage defendant in conversation related to how the BOP could assist defendant. Sullivan responded by saying that he was being released to [REDACTED] and he planned to "sit around and do nothing." W.S. told him this was not a viable option and Sullivan became quiet and stared at her. He then said, "You know

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RE: SULLIVAN, Cyrus Andrew

run my business

(what I fucking want to do.) Sullivan said he would not sign the contract nor comply with employment expectations. W.S. directed that they end the conversation until they could come to a mutual agreement. Defendant continued to stare at her until W.S. asked him to leave her office telling him they could talk later if he was interested.

13. As Sullivan slowly exited the office, W.S. thought his movements looked as if he was going to slam the door on his way out, and said, "Please do not slam the door." Sullivan threw the door open, pretended to slam it but caught it before it closed. W.S. went to the door to make sure Sullivan had left the Resource Room and heard Sullivan cursing and telling her she was "fucking with the wrong person an she shouldn't cross him." W.S. asked Sullivan to leave the room and come back later when he was willing to have a conversation. Sullivan darted towards W.S. as she pushed the panic alarm. He slapped her hard on the left side of her face, and when she screamed he punched her in the face. As the victim attempted to steady herself, defendant shoved her in the upper back and she fell over a chair and slammed into a wall, injuring her right wrist.
14. During the commotion, an NWRRC case manager, H.K. heard Sullivan say in a raised voice, "This is fucked up," and then heard W.S. say, "Don't slam my door." H.K. went to W.S.'s office and saw Sullivan attack W.S. H.K. told Sullivan to back away but he would not comply; so H.K. tried to get between defendant and W.S. but Sullivan swung a closed fist at H.K., missing her. A third employee rushed in to help and grabbed defendant and secured him in a restraining hold as they struggled down the hallway towards the case management area of the facility. Defendant was told to calm down but managed to free his elbow from the restraining hold and hit the case manager on the right side of the face. Port of Portland Police arrived within ten minutes and placed defendant into custody until Portland Police arrived and transported defendant to Multnomah County Jail. Defendant declined to make any statements.
15. W.S. suffered from swelling and bruising of her right wrist. She rated her pain as eight, on a scale of 1 to 10. She also had bruising on the left side of the face, where she had been slapped and punched. Further extent of her injuries is unknown, as she has not returned the requested victim impact statement. Sullivan was originally charged with Assault in the Fourth Degree, and Attempted Assault in the Fourth Degree, in Multnomah County Circuit Court case number 140444244. Said charges were dismissed on April 30, 2014, in lieu of federal prosecution. The federal Indictment was true billed May 7, 2014.
16. While defendant was in custody of the U.S. Marshals on this case, he was transferred from Columbia County Jail to FCI Sheridan. Prior to his departure, jail staff found a "hit list" in Sullivan's possession that included the names of everyone who had investigated, prosecuted, and adjudged him in the past year or so in his possession. Assistant U.S. Attorney Sean Hoar was made aware of the list and brought it to the attention of the probation officer. This list has been provided to defense counsel.

Victim Impact

17. The provisions of the Mandatory Victim Restitution Act of 1996 apply to this Title 18 offense. A Declaration of Loss Statement has been sent to victim W.S. but she did not

** There was s no punch on the video tape.*

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RE: SULLIVAN, Cyril Andrew

return it. In an email conversation with her, she indicated she did not know the amount of her medical expenses as most had been covered by insurance and she was still receiving treatment for her wrist. W.S. has not submitted a request for restitution to date.

- 17a. W.S. submitted a victim impact which I have summarized below. The statement has been submitted under separate cover to the Court.

This attack was unprovoked and occurred simply because Mr. Sullivan did not get his way. Mr. Sullivan refused to job search, participate in vocational activities, or consider alternatives to running his former websites. He became agitated during a conversation related to his current status at NWRRC and was argumentative when asked to leave the Resource Room. Instead of following directions to leave he slapped me across the face, punched me in the face and shoved me so hard into the wall that the wall caved and dented. My face was black and blue and swollen, and my hand swelled to four times its normal size. I also suffered from a neck sprain. I now have permanent damage to my hand and have missed a considerable amount of work due to medical appointments, physical therapy, and counseling. I have also experienced Post Traumatic Stress Disorder because of the attack.

Adjustment for Obstruction of Justice

18. The probation officer has no information indicating the defendant impeded or obstructed justice.

Adjustment for Acceptance of Responsibility

19. Sullivan pled guilty to the instant offense in a timely manner, thus, a two-level reduction for acceptance of responsibility is recommended. USSG §3E1.1 (a).

Offense Level Computation

20. The 2013 Guidelines Manual, incorporating all guideline amendments, was used to determine the defendant's offense level. USSG §1B1.11.

Count 1: Assault of a Federal Employee

- | | | |
|-----|--|-----------|
| 21. | Base Offense Level: The guideline for violations of 18 U.S.C. § 111 is found at USSG §2A2.4 and requires a base offense level of 10. | <u>10</u> |
| 22. | Specific Offense Characteristics: Pursuant to USSG §2A2.4(b)(1)(A), if the offense involved physical contact a three-level enhancement is warranted. Sullivan attacked W.S.; thus, this enhancement is applied. | <u>+3</u> |
| 23. | Specific Offense Characteristics: Pursuant to USSG §2A2.4(b)(2), as the victim sustained bodily injury both on her wrist and her face, a two-level increase is warranted. | <u>+2</u> |

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[REDACTED]

Thank you for agreeing to help me. Included in this mailing is a copy of my press release. This is the web version and it is written specifically for online publication. Online press releases have certain requirements that this one should fit exactly. It is important that you transcribe it word for word with the corrections I've noted in pen. Do not change it at all no matter what your opinion is or what insights you may want to contribute to it. The last thing I want to see is a butchered version of this published because you felt that was best. Publish it all or not at all.

Publish it at one of the following 3 press release distribution services. They are in priority from best to worst. If the first does not work then use the second, then the third if necessary.

1. SubmitMyPressRelease.com

user name: [REDACTED] or [REDACTED]
password: [REDACTED] or [REDACTED]

note: Purchase a rather basic press release distribution package for \$25. If I recall that was the going rate in 2012. If it costs more now that is ok. Use my [REDACTED] credentials which you should still have written down to pay for it.

2. 24-7-press-release.com

user name: [REDACTED] or [REDACTED]
password: [REDACTED] or [REDACTED]

note: Should still offer a free service and a premium one for a couple hundred dollars. Try the free service first and then discuss the other with me depending on the results. Hopefully a premium is not needed.

3. free-press-release.com

user name: [REDACTED] or [REDACTED]
password: [REDACTED] or [REDACTED]

note: Absolute garbage service, but I have a credit with them that should slightly increase exposure for about \$1.

Each of those services have several categories to choose from. Choose the ones most relevant to law, health, celebrities, etc. Such as legal, entertainment, health, crime, celebrities, gossip, etc.

Each service should allow you to add tags. Tags are relevant keywords that help direct search engines and ultimately users to the article. Use the following tags:

STDs, Prison, BOP, Crime, Health, Stalker, Threats, Anderson Cooper, Celebrities, tv, entertainment.

Each service may also ask for a brief summary of the story.

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The imprisoned founder of a controversial website has been wrongfully sent to a penitentiary due to an error by the Federal Bureau of Prisons. Shining light on a more widespread prison problem and an effort to censor the intern

That should be all you need for now. If you need to use different tags or categories that is ok. - Just keep them relevant.

If the summary is too long just use the first sentence.

Remember my list of passwords for [REDACTED] and other accounts that you should still have. If the usernames don't work try using the email addresses [REDACTED] and [REDACTED]

Thanks again for your help.

[REDACTED]

WZ 2/15/15

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Web: Version

TV Show Subject Wrongfully Sent to Penitentiary

The founder of STD Carriers Disease Control and Prevention Services has been wrongfully sent to the United States Penitentiary in Victorville, California after the Federal Bureau of Prisons (BOP) erroneously or intentionally inflated his custody level from medium to high on false pretenses. Previously housed at the medium security Federal Correctional Institution (FCI) in Sheridan, Oregon Cyrus Sullivan is now considered too dangerous for that facility due to a non-existent escape and a slap in the face that raised his history of violence to serious when it is in fact minor.

In 2014 Sullivan received a 24 month sentence for assaulting a federal employee to be served consecutively to the 24 months he was already serving for sending a threatening email to his stalker, a Portland woman whose ex-boyfriend had published her STD status on Sullivan's website. Instead of treating Sullivan as the real victim that he was the government threw the book at him saying among other things that threatening him, his family, calling in a bogus 911 call falsely accusing him of holding hostages at his home, and libeling him with actual malice were all understandable under the circumstances. Those circumstances being without legal recourse to compel the removal of truthful and damaging information published online by one of Sullivan's users. At sentencing U.S. District Judge Marco Hernandez ordered that Sullivan could not access a computer or direct a third party to access one for him while on release without permission from a probation officer. Those conditions are currently being challenged in the 9th Circuit Court of Appeals because they are unconstitutional. It was abuse of those conditions in a failed effort to force Sullivan back into court to seek modification of those conditions just to use a computer to look for work and in the process force him to file a second appeal that led Sullivan to slap a staff member at the Northwest Regional Re-Entry Center (NWRRC) in April of 2014.

Sullivan did commit the assault, but was never accused of escaping or attempting to escape in the process. Still Sullivan has an escape on his BOP disciplinary record for the incident. Sullivan is not alone in his confusion because it turns out that BOP treats every inmate that leaves NWRRC or any other community correctional facility for any reason other than successful completion of the program as an escapee. When confronted with what looked like an obvious computation error Sullivan's case manager at USP Victorville surprisingly defended the error saying "you escaped because of your behavior" even though none of his behavior included so much as an accusation of escape as defined by the English language dictionary.

Sullivan also had his history of violence wrongfully increased from minor to serious even though BOP policy requires behavior "likely to cause serious bodily harm... (e.g. aggravated assault)" for violence to be considered serious. Had Sullivan actually committed an aggravated assault he would have been sentenced under United States Sentencing Guidelines section 2A2.2 instead of section 2A2.4 for obstructing or impeding officers. Conflictingly and accurately BOP correctly categorized the seriousness of his current offense as moderate for a less serious assault. Had BOP wrongfully called

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his assault serious when determining severity of his current offense it would have been of the greatest severity level.

Sullivan has 24 points. The bare minimum to be housed at a USP. A proper reduction in either category would put him back at the medium security facility where he belongs. Unfortunately, according to BOP officials he must wait at least 6 months for a custody review unless staff at the prison take steps to correct the error, but in order to do that they would have to first stop defending the error and then request that it be corrected at the Designation and Sentence Computation Center in Grand Prairie, Texas.

Sullivan was the subject of a March 2012 episode of Anderson hosted by Anderson Cooper. Cooper was outraged by Sullivan's STDCarriers.com website that allowed anyone to anonymously list people online as STD Carriers. Sullivan was arrested in June of that year and has been in custody ever since with a projected release date of March 2016.

For More Information Visit:

STD Carriers Still on Twitter
twitter.com/STDDatabase

Coverage of Sullivan's Sentencing:
OregonLive.com search site for "stdcarriers.com" of "Cyrus Sullivan"

YouTube Channel Featuring Cyrus Sullivan on Anderson
[YouTube.com/user/NoLimitList](https://www.youtube.com/user/NoLimitList)

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14-8917
No. _____

IN THE
Supreme Court of the United States

CYRUS ANDREW SULLIVAN,

Petitioner,

v.

THE UNITED STATES OF AMERICA,

Respondent.

On a Petition for a Writ of Certiorari
to the Ninth Circuit Court of Appeals

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

Is access to the Internet so integral to modern living and intertwined with First Amendment expression that court imposed release restrictions on that access must be narrowly tailored?

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PETITION FOR A WRIT OF CERTIORARI

Petitioner Cyrus Andrew Sullivan respectfully petitions for a writ of certiorari to review the judgment of the Ninth Circuit Court of Appeals in Case No. 13-30207, affirming his sentence and his conditions of release for his conviction of Making a Threatening Communication, 18 U.S.C. §875(c).

LIST OF PARTIES

Petitioner is Cyrus Andrew Sullivan, defendant-appellant below. Respondent is the United States of America, plaintiff-appellee below. All parties appear in the caption of the case on the cover page.

OPINIONS BELOW

The order of the Ninth Circuit Court of Appeals (Pet. App. 1a) and the relevant District Court proceedings and order are unpublished.

JURISDICTION

The Ninth Circuit Court of Appeals issued its order on December 16, 2014. This Court has jurisdiction pursuant to 28 U. S. C. § 1254(1)

CONSTITUTIONAL PROVISIONS

The First Amendment to the United States Constitution states in relevant part:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech...

The Fifth Amendment to the United States Constitution states in relevant part:

No person shall be...deprived of life, liberty, or property, without due process of law...

STATEMENT OF THE CASE

Cyrus Sullivan is a provocateur. He deliberately pushes the bounds of free speech in ways that are offensive and objectionable – but ultimately lawful, and constitutionally protected.

Mr. Sullivan ran a number of websites that served as platforms for users to post information about others. One of these websites, www.stdcarriers.com, provided a forum for jilted ex-lovers to “out” former partners as having a sexually transmitted disease.

If a person found his or her name listed on the site as a person with an STD, that person had various options to seek the listing’s removal. The person who originally posted the information could at any time remove the listing by simply logging into the site and deleting the posting. Petitioner encouraged listed persons to talk with the person who posted the information about removing it. Alternatively, Mr. Sullivan would remove the posting if the listed person provided medical records showing the person did not have an STD.

Alongside the various websites Mr. Sullivan operated such as stdcarriers.com he launched nolimitlist.com, which, among other functions, allowed users to clean up their online reputation by paying a fee of between \$400 to \$1000. Upon receipt of the fee, Petitioner would perform a function that would limit the ability of search engines like Google to lead web surfers to the person’s name on the STD website, a sort of reverse form of search engine optimization.

Stdcarriers.com expectedly garnered significant backlash, national medial attention, and the interest of federal law enforcement. Despite the outcry, the site was never held to be unlawful.

One person listed on the site, A.K. contacted

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Mr. Sullivan to remove her information. This began a long series of email interactions between Mr. Sullivan and A.K. That email exchange eventually escalated to threats, name-calling, and histrionics from both side. Ultimately, Mr. Sullivan said in one email: "You don't learn your lessons, do you? Now I have no choice but to come to your house armed and put an end to you once and for all." Sentencing Tr at 7. It was that sentence, in that one email, that formed the basis for a prosecution and conviction for Making a Threatening Communication, 18 U.S.C. §875(c). And with that prosecution, the government finally saw an opportunity to shut down Mr. Sullivan's sites, such as stdcarriers.com.

Before the District Court Mr. Sullivan entered a plea of guilty. However, upon sentencing, the District Court imposed two objectionable conditions, both clearly designed to shut down Mr. Sullivan's offensive, but lawful, websites. The District court made that clear when it said "the notion that you're going to continue with your website, it's not happening... I am taking it away from you." Sentencing Tr 45-46. The conditions were:

"7. The defendant is prohibited from using or possessing any computer(s) and/or directing third parties to do so on his behalf (including any handheld computing device, any electronic device capable of connecting to any on-line service, or any data storage media) without the prior written approval of the U.S. Probation Officer. This includes, but is not limited to, computers at public libraries, Internet cafes, or the defendant's place of employment or education.

"8. The defendant is prohibited from accessing any on-line computer service and/or directing third parties to do so on his behalf at any location (including employment or education) without the prior written approval of the U.S. Probation Officer."

These conditions sweep so broad as to prevent Mr. Sullivan from engaging with the modern world. Not only is he prevented from possessing a computer, he's prevented from using one, or having someone use one on his behalf. He is prevented from accessing any device connected online, or from having anyone do so for him. Under these conditions he cannot function in society. He cannot bank or have anyone help him bank. He cannot access health records, nor can his doctor access those records on his behalf if they are electronic. He cannot pay by credit or debit card. He cannot shop for groceries if doing so requires swiping a Safeway Club Card for example. He cannot communicate with anyone via email, cannot read the news online, or stream a movie, or download music or shop online. What's more, no one can assist him with those functions. Someone buying something at Amazon.com on behalf of Mr. Sullivan and shipping it to him would be a violation. And ultimately, as the District Court clearly intended, Mr. Sullivan could not run his Internet based business, nor turn it over to someone else to run on his behalf.

Mr. Sullivan challenged these conditions on appeal. The Ninth Circuit held that the conditions were not unlawful. This Petition for Certiorari followed.

REASONS TO GRANT THE WRIT

- I. The Internet is the dominant modern first amendment forum; this Court should announce that release conditions affecting Internet access must be narrowly tailored.**

Release conditions must be reasonably related to the factors set forth in 18 U.S.C. § 3553(a)(1) & (2)(B)-(D). In imposing conditions of supervised release, the sentencing court may consider: (1) the nature and circumstances of the offense and the

history and characteristics of the defendant; and (2) the need for the condition to deter future criminal conduct, protect the public, and provide the defendant with necessary training, medical care, or other correctional treatment. See 18 U.S.C. § 3553(a)(1) & (2)(B)-(D). Under 18 U.S.C. § 3583(d), conditions of supervised release “must: (1) be reasonably related to the goals of deterrence, protection of the public, and/or defendant rehabilitation; (2) involve no greater deprivation of liberty than is reasonably necessary to achieve those goals.”

The Internet is now the dominant source of access to news, opinion, and critical information. It is how people order their lives. The Internet accesses financial records, health records, and other critical life documents. It is the gateway to employment, both in searching for work, as well as applying for a job. Finally, it is a critical mechanism for basic communication, staying in touch with relatives, and talking with loved ones.

As this Court noted the Internet “provides relatively unlimited, low-cost capacity for communication of all kinds...Through the use of chat rooms, any person with a phone line can become a town crier with a voice that resonates farther than it could from any soapbox. Through the use of Web pages, mail exploders, and newsgroups, the same individual can become a pamphleteer.” *Reno v. Am. Civil Liberties Union*, 521 U.S. 844, 870, 117 S. Ct. 2329, 138 L. Ed. 2d 874 (1997). And access to electronic communication is a modern method of self-identification. *City of Ontario, Cal. v. Quon*, 560 U.S. 746, 760, 130 S. Ct. 2619, 177 L. Ed. 2d 216 (2010).

Because an Internet capable computer is the nexus for a host of First Amendment activities, removing access to such a device can be permissible only in the most narrow of circumstances – circumstances not present in this case. When faced with a close call, “the First Amendment requires [courts] to err on the side of protecting * * * speech

rather than suppressing it." *Federal Election Commission v. Wisconsin Right to Life, Inc.*, 551 U.S. 449, 457 (2007).

II. Computer and Internet bans as a condition of release, or probation, are common throughout the federal and state criminal systems

Mr. Sullivan is not alone in being subject to a ban of computer use, although the prohibition extending to third parties acting on his behalf is unusual. Throughout the state and federal criminal systems defendants are routinely subject to similar restrictions.

Although computer and Internet bans are most frequently seen in cases of child pornography, they are being increasingly applied in a wide ranging array of cases, from white collar fraud to cases only tangentially related to internet use.

This case provides a vehicle for this Court to provide guidance in an area affecting thousands of criminal cases nationwide.

III. Lower courts are split on the standard for evaluating the constitutionality of computer and Internet use restrictions

Lower courts are divided in both their result and the methodology for analyzing computer and Internet restrictions. A number of circuits have upheld restrictions similar to Mr. Sullivan's. *See, e.g., United States v. Paul*, 274 F.3d 155, 169–70 (5th Cir.2001) (upholding complete ban); *United States v. Walser*, 275 F.3d 981, 988 (10th Cir.2001) (upholding prohibition where offender could use the Internet with permission of the probation office); *United States v. Ristine*, 335 F.3d 692, 696 (8th Cir.2003) (district court did not commit plain error in restricting defendant's use of computer and access to Internet where defendant had possessed and exchanged pornographic images with other

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Internet users and defendant could still possess computer with permission of his probation officer); *United States v. Zinn*, 321 F.3d 1084, 1093 (11th Cir.2003) (limited restriction on child pornography offender's Internet usage was reasonably related to legitimate sentencing considerations); and *United States v. Crandon*, 173 F.3d 122, 127-28 (3d Cir. 1999) (upholding Internet ban)

Other circuits have reached opposite results. See, e.g., *United States v. Sofsky*, 287 F.3d 122, 126 (2d Cir.2002); *United States v. Freeman*, 316 F.3d 386, 391-92 (3d Cir.2003); *United States v. White*, 244 F.3d 1199, 1206 (10th Cir.2001); and *United States v. Scott*, 316 F.3d 733, 737 (7th Cir.2003) (indicating that a record of "extensive abuse" of digital communications, as opposed to only a few images of child pornography stored on a computer, could justify an outright ban on the Internet).

This disagreement among the circuits — which is echoed in state treatment — requires resolution. The imposition of Internet restrictions as a condition of release or probation will not diminish, it will only expand. The time has come for this Court to bring conformity to the legal analysis below.

IV. This case provides a good vehicle to address the issue

This case provides this Court a good vehicle to address the constitutionality of Internet use restrictions. First, the restriction here is one of the most extreme counsel has encountered. Restrictions on ownership or access are common. But this restriction goes further by prohibiting access by third parties on Mr. Sullivan's behalf. As such, the restriction sweeps broadly and affects virtually all aspects of daily living.

Second, the crime of conviction in this case is Making a Threatening Communication, 18 U.S.C. §875(c). This case presents the issue without the complication of an Internet sex case, or child

pornography. The threat forming the basis of the conviction was a single email. If Mr. Sullivan had sent that threat via physical mail, would he be banned from Post Office? The sweeping nature of the ban, in contrast to the finite nature of the crime, squarely frames the issue for this Court.

CONCLUSION

For the foregoing reasons the petition for writ of certiorari should be granted.

Respectfully submitted this 16th day of March, 2015.

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Cyrus Andrew Sullivan, Petitioner v. United States.
SUPREME COURT OF THE UNITED STATES
2015 U.S. LEXIS 2543
No. 14-8917.
April 20, 2015, Decided

Editorial Information: Prior History

United States v. Sullivan, 588 Fed. Appx. 631, 2014 U.S. App. LEXIS 23611 (9th Cir. Or., 2014)
Judges: Roberts, Scalia, Kennedy, Thomas, Ginsburg, Breyer, Alito, Sotomayor, Kagan.

Opinion

Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

SCTHOT

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dropped pursuant to plea" U.S. v. Montano (2005, 398 F.3d 1276). In order to prove actual innocence the defendant "must show that in light of all the evidence it is more likely than not that no reasonable juror would have convicted him." Luster v. U.S. (1999, 168 F.3d 913).

ACTUAL INNOCENCE OF INTERNET STALKING

18 U.S.C. 2261A states "whoever -- (2) with the intent to ...harass...uses...any interactive computer service...to engage in a course of conduct that -- (B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person". Specifically Sean Hoar alleged that by publishing or facilitating the publishing of information on the internet I violated this statute because people claimed to have experienced substantial emotional distress as a result of the publications. I am obviously innocent of this charge. For a couple of reasons. First, everything I personally publish is absolutely 100% technically accurate and third parties that use my services always agree to only publish truthful information. Second, any false information posted is in breach of contract without my permission and any failure to remove negative publications are covered by my immunity~~is~~ under the Communications Decency Act of 1996 (CDA). See Levitt v. Yelp! Inc. (2014, 9th Cir. No. 11-17676) "theories of extortion for failure to remove negative user reviews were covered by Yelp's immunity under the Communications Decency Act of 1996 ("CDA"), 47 U.S.C. 230(c)(1)

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". Lastly, Your Honor stated on the record at my Assault Case sentencing on 11/3/2014 that Your Honor considers my websites to be legal, so I'll let Your Honor speak for himself on this one.

In my personal opinion I believe that Mr. Hoar had three main objectives for this frivolous charge. First, it scared people that otherwise would have helped me keep my business on track out of doing so because they were afraid of being charged as accomplices, accessories, or co-defendants. Second, it opened the door to investigate the entire business operation with the hope of finding any threats sent across state lines that really would have violated 2261A or any other criminal statute. Third, it would allow Mr. Hoar to introduce evidence at trial that otherwise would have been irrelevant and prejudicial. Mr. Hoar's win at all costs attitude is inappropriate and contrary to the Supreme Court's definition of what a prosecutor should be "The United States Attorney is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefor, in a criminal prosecution is not that it shall win a case, but that justice be done...He may prosecute with earnestness and vigor -- indeed he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones." *Berger v. U.S.* (1935, 295 U.S. 78).

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to get this departure under the circumstances. Especially when already arguing against a 2A6.1(b)(2)(A) enhancement on the grounds that I only sent one "true threat".

[REDACTED]

[REDACTED]

INAPPROPRIATE RELEASE CONDITIONS

Mr. Olson failed at sentencing to object to supervised release conditions that violate my First Amendment Right to Freedom of Speech, are overly broad, and were imposed with no justification in the record. Mr. James and I believe these conditions to be illegal as well as unjustified. To save space I will rely on Mr. James' arguments presented in his brief to the Ninth Circuit (AB, p. 9-11) and his Writ of Certiorari to the Supreme Court.

Mr. Olson was instructed to find and make constitutional arguments against restricting my computer use for such a minor offense. Mr. James and I believe these conditions, specifically conditions 7 and 8, to be unconstitutional. Unfortunately I seem to be on the losing side of a circuit split that the Supreme Court has yet to clarify in which a few circuits including the Ninth do not consider computer restrictions illegal and others consider them unconstitutional. In the case of my appeal of these conditions the Ninth circuit cited other more serious cases in which computer bans were upheld, all involving child pornography that happened to be accessed using computers, and an inability to review for

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abuse of discretion due to my waiver of appeal (See Ninth Circuit Order of 12/12/2014 in Case No. 13-30207). I signed that waiver during the plea stage with the understanding that I would be represented by a reasonably competent lawyer to argue against any computer use restrictions at sentencing. Had I known that Mr. Olson would completely abandon me at sentencing I would not have signed such a waiver or at least would have insisted on a waiver that did not apply to contested sentencing issues. In this case ineffective counsel at the plea phase also prejudiced the sentencing and appeal stages, see Daniels v. Woodford (2004, 428 F.3d 1181) "combination of counsel's guilt and penalty phase deficiencies...prejudiced the outcome of his penalty phase".

At the sentencing hearing Mr. Olson had agreed to fight for my right to use computers should the issue come up, but instead elected to abandon his "overarching duty to advocate the defendant's cause [by]...Abandoning his tactic" White v. McAninch (2000, 235 F.3d 989) to argue against the proposed restrictions by saying "I don't want to take the position that Mr. Sullivan should just be able to do whatever he wants on the internet, on computers" (STR, p. 40). This resulted in me having to object myself because Mr. Olson "constructively abandoned [me], and thus, we must presume prejudice" Griffin v. U.S. (109 F.3d 1217). After my objection Your Honor stated that Your Honor would consider that when deciding how long to put me in prison before sentencing me to the maximum end of the guidelines (STR, p. 46). See U.S. v.

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Ramsey (2004, 323 F Supp 2d 27) citing U.S. v. Cronic (1994, 466 U.S. 648) "where counsel's presence is so useless that the defendant for all intents and purposes, is without a lawyer, or where 'counsel entirely fails to subject the prosecution's case to meaningful adversarial testing' then courts evaluating the defendant's ineffective assistance claim may presume that a competent lawyer could have achieved a different result...and no specific showing of prejudice is required".

To his credit Mr. Olson did include an argument about vagueness and overbreadth in his memo (DSM, p. 20-21), but that was only after I complained about him not using any case law at all in his initial draft. He never cited any First Amendment cases such as U.S. v. Sales (2007, 476 F.3d 732), U.S. v. Sofsky (2002, 287 F.3d 122), or U.S. v. Freeman (2003, 316 F.3d 386) all of which oppose computer restrictions in more serious cases. It is my hope that Your Honor would be more receptive to my First Amendment claims on re-sentencing in this case as Your Honor was during sentencing in my Assault Case. I do recall criticizing your judgment, but to be fair you can only pass judgment on the arguments presented to Your Honor. Mr. Olson's arguments were either weak or non-existent. Still I fear that nothing short of vacating my conviction in full could restore me to the state I was in before receiving ineffective counsel because any re-sentencing would likely be prejudiced by my history of self-representation and additional ammunition from the Ninth Circuit for the prosecutor that may not have been available to rebut my defense to the proposed conditio-

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ns had ineffective counsel not forced me to have to appeal.

Finally, Mr. Olson was ineffective for failing to inquire as to Your Honor's justification for imposing the release conditions beyond the prior restraint aimed at censoring constitutionally protected activities. Articulating Your Honor's reasoning for the record is most necessary for making it reviewable in the Court of Appeals.

SUMMARY OF INEFFECTIVE COUNSEL AT SENTENCING

I ask that Your Honor vacate my conviction in full or re-sentence me with downward departures for Acceptance of Responsibility, Victim Conduct, Diminished Capacity, and Single Instance without Deliberation. Starting with a Base Offense Level of 12 my Total Offense Level should be 2 with a Criminal History Category of III for a recommended guideline range of 0-6 months. If Your Honor finds that any of the appropriate departures I am asking for do not apply then I ask that you re-sentence me with all that do. Any excess time served should be credited to my Assault Case. Ideally this should result in my immediate release. I also ask that computer restrictions not be imposed.

In the event that this motion does not result in my immediate release, but even the slightest sentence reduction I bring to Your Honor's attention the fact that any time of incarceration is

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significant for the purposes of 2255. See U.S. v. Grammas (2004, 376 F.3d 433) citing Glover (531 U.S. at 203) "any amount of actual jail time has Sixth Amendment significance".

GROUND FOR RELIEF 4: REASONABLE DEPARTURE OR VARIANCE

If necessary to assure an aggregate sentence equal to and not exceeding the total length of consecutive sentences imposed in both my Assault Case and Threat Case it may be necessary to group them together for resentencing purposes. This is because BOP's policies regarding credit for time served are somewhat hazy when it comes to new offenses committed while in custody serving a separate sentence that is vacated or reduced. Most of the confusion in my research centers on the offense date of 4/21/14 for my Assault Case and whether or not time served prior to that can be credited to my Assault Case if my Threat Case is vacated or the sentence is reduced by more than 72 days.

According to 18 U.S.C. 3585(b) "A defendant shall be given credit toward the service of a term of imprisonment for any time he has spent in official detention prior to the date the sentence commences". That suggests that giving me credit for time served should not be a problem, but 3585(b) goes on to say "(1) as a result of the offense for which the sentence was imposed; that has not been credited against another sentence." That last part suggests that time spent in custody prior to the commission of the of-

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Perhaps Mr. James' conduct had a greater impact on my Assault Case than the one he represented me on. This is because I feel like he overstated the likelihood of success in the appeal so much so that I believed victory to be a near certainty and conducted myself under the assumption that it was only a matter of time until I got my rights back. This played a huge role in the Assault Case because he convinced me that seeking a modification of terms from the district court when my release conditions were being abused, was a bad idea. He said that I ran the risk of Your Honor modifying the terms just enough for me to use computers to look for work and obtain work in the computer industry without being able to run my websites. Had I been properly advised as to the current state of law in the Ninth Circuit I would have sought help from Your Honor despite that risk, but instead I let things get out of hand and lost my temper big time. I keep thinking back and I think it was more of a need to feel in greater control of my life that led me to do that than anything. Your Honor stated at my Assault Case sentencing that Your Honor wants me to work in the computer industry, so had I been properly advised of the likelihood of success in the Ninth Circuit I would most likely have gotten permission from Your Honor to use computers enough so that the dispute that led to the assault would never have happened. I also was not aware that judges can take it upon themselves to research case law and present arguments on behalf of the government that the government did not present in its brief, like the Ninth Circuit did in my case. This led me to greater believe

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success to be certain because Mr. James' brief was much better than Mr. Hoar's. When the Ninth Circuit cancelled oral arguments Mr. James said that was a good thing because they thought there was enough to decide the case based on briefs. I would not find out until March of this year that the Ninth Circuit ruled against me in December. Since December I have not spoken to Mr. James and he seems to be avoiding my phone calls. He went from a constant re-assuring voice, to non-existent, to bad news via his paralegal.

One thing that was a bit of a red flag was the Ninth Circuit's decision that "the conditions are 'not absolute,' but permit access subsequent to approval by Probation" because Mr. James had surprised me during a conversation during the fall of 2014 while meeting to discuss my Assault Case. The surprise was when I stated that I was not completely banned from computers, but was banned unless my P.O. approved of the access before hand. He told me not to say that because our position was that it was a complete ban. A better approach I think would be to attack the constitutionality of using release conditions created and typically used to protect the public from unlawful conduct as a means to suppress lawful conduct that some people wish was illegal.

Knowing what I know now I think I may have had better options had I just gotten out, turned the sites on, and appealed any violation as unconstitutional abuse of otherwise supposedly legal conditions.

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Now that I would need an intervention by the Supreme Court to run my business free of judicial harassment I feel that Mr. James was ineffective for failing to recommend to the person holding the keys to my business that payment be made to my hosting company with instructions to turn my sites back on. I say this because I know that the Supreme Court must be baited with issues of great public importance in order to make a case worth their time. After reading a recent Criminal Law Reporter I now believe that Mr. James' petition was denied. I can't help but think that had we raised the stakes a bit by making the issue not whether or not I would be free to run the sites at all, but whether or not the only American in a position to police the sites would be able to do that, then perhaps we may have had enough to bait the Supreme Court into intervening. In that way the Supreme Court can be thought of a lot like politicians and the news media both of which were easily baited into giving several of my sites lots of free advertising. Since the demise of my sites my voice with the media has gone with them. No sites, no story, and apparantly no Supreme Court case.

In retrospect I would have been better off turning my sites on while at the halfway house, but the person holding the keys decided not to help with them without approval of an attorney. It was that betrayal and outright sabotage by those closest to me that was the primary source of rage in my life when I assaulted the staff member. Had my decision to go back into custody in protest after Rene Worthey and NWRRC began abusing my conditions to the point that I could not even look for work been able to be carried

Dwt...

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without escaping as it should have been who knows? Maybe I would be home and Your Honor would have seen the wisdom in not imprisoning the only person capable of addressing complaints regarding the sites once they were up and running on an offshore server with either an automated payment system or after being paid enough to stay running for however long Your Honor could lock me up for. Maybe then things would have been different.

At the very least Mr. James appears to be the latest in a long list of people telling me what they think I need to hear not to freak out and do something, instead of telling me what I really need to hear, which is up to date and reliable information about all aspects of my business, criminal cases, and truthful answers to any questions I have. While spending six weeks in the SHU at USP Victorville I read "Intelligence in War" by John Keegan and I remembered empathizing with Lord Nelson in his effort to locate the French fleet in 1798 only to be fed a combination of false and out of date information before finally cornering them at Alexandria. Like Lord Nelson a criminal defendant can't effectively plan and execute a criminal defense without up to date information on his enemies' activities. Mr. James was to provide me with that information and did not do so, a trait shared by Per Olson and Thomas Price.

For the aforementioned reasons I ask that Your Honor vacate my conviction on the grounds of ineffective assistance of counsel on appeal.

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the following Aggravating Truths that don't apply directly to my ineffective counsel at plea, sentencing, appeal, or other arguments. I offer them only as arguments in favor of re-sentencings at the bottom end of the guideline range and to further document this is farce and mockery of justice.

AGGRAVATING TRUTH 1: RUSH JOB

If Your Honor recalls my sentencing hearing was delayed due to Mr. Olson not being ready on time despite having 10 weeks to prepare. Even with the delay his progress was awful. He only really seemed to work at arguing the intent to carry out threat enhancement and at times suggested there was so little at stake by comparison to what he usually represents that he didn't anticipate much of a hearing. As I've outlined before many of his arguments are incomplete. I contribute a lot of that to him rushing my case. I considered firing him, but was without legal resources to second guess him and he said that he thought he could get me out, so I didn't want to go through the process of having a new lawyer learn the case.

AGGRAVATING TRUTH 2: LEADING ME BLIND

Like my Dad always said ^{ai} "just because you are paranoid does not mean they are not really out to get you". Since the beginning of my pre-trial confinement it seems like my counsel has been

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working with the government to cut me off from society and any information I could use to second guess them. For starters the day after my arrest on state charges Mr. Demer fabricated some theory that I might be able to destroy digital evidence if allowed to use the phone. As a result I could not use the jail phone for five months unless a deputy used the deputy only phone to call my attorney for me. By attorney I mean only lawyers already appointed to represent me by the court. My first effort to get a release hearing resulted in my then lawyer Kami White telling me she didn't want to get one because Mr. Demer didn't think it would be a good idea and my release would probably result in more charges. All other attorneys I had during the pre-trial stage seemed more interested in handling my case in the way that created the least amount of work for them instead of the way that was best for me. It seemed like they did not want me to get out where I could speak out. Then once in federal custody I was moved to the Columbia County Jail where as I mentioned earlier there really is no federal law library, which forced me to rely on Mr. Olson for advice and right before that his advice was for me to take a global resolution offer for 30 months in which I would be subject to computer restrictions and agree to abandon my business. Had I followed his advice I would have gotten more time and would not have been able to access any legal information on computers to second guess his performance.

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AGGRAVATING TRUTH 3: LIARS AND QUITTERS

Before Per Olson, Thomas Price at the Federal Public Defender (FPD) was appointed to represent me. At that time my primary web server was still running, but due to the hosting company failing to provide me with an automated payment solution despite multiple requests, I had decided to change hosts to one that did offer automated payments and my migration to the new host had not been finalized when I was arrested. As a result I was only paid up through the month I was arrested and I knew that I would need a third party to transfer funds for me until my release to assure that basic services be provided indefinitely. Since I was frivolously banned from the jail phone for the obvious purpose of preventing me from doing that very thing I instructed Mr. Price to pass login information and payment instructions to that third party. I pitched it as an evidence preservation issue and Mr. Price agreed that evidence needed to be preserved, but only wanted it kept without keeping the server on. That was unacceptable to me and Mr. Price agreed to pass the information, but he also said that he would have to recommend to the third party that the instructions not be followed. I told him not to do that because that third party would likely become paralyzed with fear and unable to operate optimally if given such information. He then agreed not to make the recommendation.

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Your Honor might wonder why anyone in my position would disregard his lawyer like that and the answer is that I did my homework. As a result I had long before identified frivolous legal action as a liability due to American courts being unreliable when it comes to protecting the constitutional rights of citizens whether it be in a civil or criminal action. I knew that lawyers were good at convincing lower courts to side with them at least initially and the high likelihood of a court order being issued in an effort to circumvent site policies someday. In that event I concluded that any lawyer representing me would most likely recommend that the order be complied with and possibly the sites shut down until the court could hear the matter. Rather than face months or years of lost revenue I realized that policies would have to be put in place requiring any court order to first adhere to site policies in order to be honored and that the offshore nature of the operation would have to be utilized to enforce these policies by making adherence to them a condition for the websites to be policed at all. Only then then could the free speech rights of users be properly protected from judicial censorship in cases in which the harmful truths they expose would be otherwise censored by clever legal maneuvering. These policies were backed by the creation of a program called ACSERP (Anti-Censorship Search Engine Rehabilitation Program) that would flag pages removed from search engines for legal reasons and cause them to be re-indexed in a continuous loop. ACSERP effectively made American courts obsolete as a me-

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ans to permanently remove content from the internet. My stalker was one of the test subjects for ACSERP whose tireless attempts to remove links to her STD report were essential to proving its effectiveness. As a result I can conclusively say that any lawyer claiming to be able to permanently remove links to any of my sites to be a false advertiser that most likely doesn't even know how wrong he/she is. It also means that rulings like one made recently by the European High Court requiring search engines to remove links to private information were obsolete before ever being issued. This means that the right to speak online is safe in the hands of users whether they are talking about STDs or any other topic like they can on my post anything website NoLimitList.com. Such policies would be rendered useless if I were to completely abandon my ^{business} just because a judge tells me to seek permission before using a computer or directing a third party to use one for me. Any such order would not be in compliance with site policies at all and could not be followed without first violating my own policies. Therefore even though Your Honor's laws say that Your Honor has the right to tell me not to use a computer I'm not capable of honoring Your Honor's claim to that alleged right. Therefore the best way to deter any aggressor whether it be a deranged stalker, disgruntled subject of an article, civil litigator, policeman, prosecutor, judge, etc. from pursuing me in the courts is to configure myself in such a way that pursuits of such nature would only make matters worse because locking me up for any reason that does

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not result in the downing of the sites would only result in the content sought to be removed by the aggressor to be kept up indefinitely as a result of their efforts unless removed by the author, with the person responsible for issuing or carrying out any order to lock me up or otherwise interfere with my ability to run my business blamed publicly for any allegations of emotional distress from the general public resulting from their abuse of discretion.

Obviously I was not surprised when Mr. Price recommended that the sites be shut down, which is why I overruled him on that matter. I knew that any lawyer would have to be forced to defend me with the sites up to best protect my interests. With automation unavailable as a means to keep the primary server running I was relieved when told by the third party that Mr. Price had transferred the information, the hosting company agreed to host the sites despite the charges, and that payment would be made. Unfortunately the sites went down and I was given excuses why the payment was not made only to be told that it was due to Mr. Price recommending against it. Whatever he said was good enough to keep my third party from following instructions to ignore Mr. Price and subsequent lawyers.

When confronted with this information Mr. Price reminded me of his recommendation and tried to trick me into thinking that I approved of him communicating it to my third party. At that point I felt I could no longer trust Mr. Price and shortly a-

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fter that he withdrew from the case citing a conflict of interest. He said that someone else in my discovery had been represented by the FPD at one point. I doubt that because when my investigator Mark Robertson did background checks on the people involved in the case no federal charges came up. I can't think of any reason why the FPD would have ever represented anyone else involved in the case. My state attorney at the time Stuart Sugarman blamed my attitude for Mr. Price's departure, so I think Mr. Price lied just to get rid of me without a big argument because our relationship was damaged beyond repair.

To add insult to this injury Mr. Price and Mr. Sugarman appeared to be trying to get me declared mentally incompetent to aid and assist them. Apparently one thing I didn't factor into my risk management plan was the tendency of attorneys to think anyone that ignores their advice must be crazy. Even after being declared sane Mr. Sugarman kept wondering how that was possible. The answer to that is that I have always been competent to aid and assist in defending myself in the ways that I wish to be defended.

Mr. Price's actions have prejudiced me to this day by putting me at a disadvantage in which any judge disapproving of the sites can feel free to give me more severe sentences with the belief that doing so will keep them down longer and if they are up, might keep them down long enough for me to have to seek their

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approval to turn them back on. This will no doubt only embolden my enemies further in the future rather than break their spirits as this case could have otherwise. After all if even a federal judge is powerless to police the internet then surely no common man can. At the time of my arrest I had a flow chart in my head of every control that the government might seek to impose and never considered computer restrictions much of a liability mainly because buying a computer is not like buying beer, visiting a pharmacy, or buying a gun because I do not have to show ID, obtain a prescription, or pass a background check. All I have to do is sneak off long enough to buy a computer and restart the sites to shatter the illusion that Your Honor has any say in the matter. I won't make the same mistake twice and those sites will stay up as long as I stay locked up, most likely with the phone number of whichever government agency or employee I consider most responsible listed on the sites as the only place to complain. The best thing for all involved would be for BOP to send me back to the halfway house where I be left free to find work in my field without my probation officer sabotaging my efforts. [REDACTED] That means Rene Worthey will have to keep her mouth shut around potential employers. Otherwise I will probably decide that I am better off in the long run turning the sites on. It also means people like Kevin Demer, Sean Hoar, and Jonathan Haub will have to do a better job exercising their prosecutorial discretion in the future.

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Mr. Price was ineffective for sacraficing my best leverage in a manner that continues to reward the government for locking me up at a time where I am still just one easy payment away from denying them the fruits of their labor, and still forced to rely on a traitor that chose to require the court's approval as a condition of cooperation, and because Mr. Price's investigators incurred huge service charges making that one payment too expensive for me at the moment. I can assure Your Honor that I will have enough money next time I get out so that I can replace that third party with machines or a lump sum payment that is enough to keep them running past the longest amount of time that you can lock me up for.

AGGRAVATING TRUTH 4: MR. OLSON'S DEMEANOR

Mr. Olson's courtroom demeanor was nothing short of awful. I have since learned that he picked up or was handed a piece of paper at sentencing and was seen shaking in fear or possibly anger. Either way his head just was not in the game.

AGGRAVATING TRUTH 5: VICTIM'S ADVOCATES

Mr. Olson agreed to move the time of the sentencing hearing without my permission so that my stalker could be there. As a result my Dad could not make it. When asked why he said "to be nice". Well the problem with that is that his job is not to be nice.

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DISCIPLINE HEARING OFFICER REPORT FORM

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PAGE

FEDERAL BUREAU OF PRISONS

Institution:	USP Victorville	Incident Report Number:	2770867		
NAME OF INMATE:	SULLIVAN, Cyrus	REG NO.:	74918-065	UNIT:	4A
Date of Incident Report:	10-09-2015@9:00AM	Offense Code:	298 <i>most like</i> 203		
Date of Incident:	10-09-2015@7:00AM				
Summary of Charges:	Interfering with Staff in the Performance of Duties, <i>most like Threatening Another Person</i>				
I. NOTICE OF CHARGE(S)					
A. Advanced written notice of charge (copy of Incident Report) was given to inmate on (date) 10-10-2015 at (time) 8:55AM (by staff member) C. Johnson, Lieutenant					
B. The DHO Hearing was held on (date) 10-21-2015 at (time) 12:55PM					
C. The inmate was advised of the rights before the DHO by (staff member): V. Torres, Unit Team on (date) 10-15-2015@11:00AM and a copy of the advisement of rights form is attached.					
II. STAFF REPRESENTATIVE					
A. Inmate waived right to staff representative.		Yes:	X	No:	
B. Inmate requested staff representative and		N/A		appeared.	
C. Requested staff representative declined or could not appear but inmate was advised of option to postpone hearing to obtain another staff representative with the result that: N/A					
D. Staff Representative		N/A		was appointed	
III. PRESENTATION OF EVIDENCE					
A. Inmate admits	X	Denies		the charge(s).	
B. Summary of Inmate Statement: Inmate Cyrus SULLIVAN, Register Number 74918-065, stated, 'I have the right to see the doctor, to receive the level of medical care I deserve, and to publish true facts about her job performance. I gave her the opportunity to improve her performance. It's not like threatening bodily harm at all. The administrative remedy process takes time. No, I never talked to medical staff at mainline. I thought the problem would resolve itself.'					
C. Witnesses: N/A					
1. The inmate requested witness(es).		Yes:		No:	X
2. The following persons were called as witnesses at this hearing and appeared: N/A					
3. A summary of the testimony of each witness is attached. N/A					

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Name of Inmate:	SULLIVAN, Cyrus	Reg. No.:	74918-065	Hearing Date:	10-21-2015
4. The following persons requested were not called for the reason(s) given: N/A					
5. Unavailable witnesses were requested to submit written statements and those statements received were considered.			Yes	No	N/A
D. Documentary Evidence: In addition to the Incident Report and Investigation, the DHO considered the following documents: Written Statement provided by inmate					
E. Confidential information was used by DHO in support of his findings, but was not revealed to the inmate. The confidential information was documented in a separate report. The confidential information has been (confidential informants have been) determined to be reliable because:					
IV. FINDINGS OF THE DHO					
X	A. The act was committed as charged.				
	B. The following act was committed:				
	C. No prohibited act was committed: Expunge according to Inmate Discipline PS.				

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V. SPECIFIC EVIDENCE RELIED ON TO SUPPORT FINDINGS (Physical evidence, observations, written documents, etc.)

The inmate's due process rights were read and reviewed by the DHO to the inmate. The DHO confirmed the inmate received a copy of his incident report, did not want to call any witnesses, and did not want a staff representative. The inmate submitted a written statement for the DHO's consideration. The inmate understood his due process rights, and was ready to proceed with the DHO Hearing.

The DHO found inmate Cyrus SULLIVAN, Register Number 74918-065, committed the prohibited act of Interfering with Staff in the Performance of Duties, in violation of Code 298, *most like Threatening Another Person, Code 203*. The DHO relied upon the reporting officer's report which indicated on October 9, 2015, at approximately 7:00 a.m., while the reporting officer was working at the sick call window, inmate SULLIVAN, Cyrus, Register Number 74918-065, came to the line with a stack of unauthorized sick call slips. When the reporting officer asked him where he got them, he became very agitated and stated harshly he was given the papers. The longer he was at the window, the angrier he got. The more the reporting officer inquired, the more argumentative he became. Just before inmate SULLIVAN left the window, he stated, "You just wait until your profile shows up on my computer." The reporting officer replied, "Okay." SULLIVAN then repeated, "You just wait until your profile shows up on my computer. You'll be sorry!" The inmate left the window without further incident. The Operations Lieutenant was notified.

The DHO considered the Written Statement inmate SULLIVAN submitted at the time of his DHO hearing. In the written statement, inmate SULLIVAN wrote, "*DHO, I have every right to publish true facts on my website NoLimitList.com documenting PA-C B. Wolverton's neglectful medical malpractices. I also have every right to inform her of my intentions and give her an opportunity to improve her future image before her current image becomes public. In my nearly 9 months here I have yet to see a doctor despite countless requests to several P.A.s including mine, Wolverton. The alleged 'unauthorized sick call slips' contained six things I need to be seen for, most or all of which Wolverton has previously been made aware of, but instead of getting me a doctor's appointment as she should, she found another excuse. This time she didn't even process the slips claiming that I have too many. She is the only P.A. I've talked to that will not process more than one slip at a time. As a result of that and previous neglect I have yet to be seen by a doctor for chronic neck pain, chronic acne, dental problems, medication mix-ups, possible foot fracture, nerve damage in my left hand, and a painful right shoulder with limited mobility. I've also heard rumors that she is an alcoholic and her alcoholism contributes significantly to her incompetence. I have every right to publish an accurate account of my experience, that I've heard that other people have similar problems with her, and properly cited rumors when I am released next year. Before my web server went down shortly after my arrest, sites in my network frequently ranked at the top of Google for searches for their subjects. They did so well that I was able to gain employment as a search engine optimizer and charged good money to remove results from search engines linking to my websites. I even wrote a program that got results previously removed by the search engines for legal reasons back in. That effectively made your government obsolete as a means of permanently removing content from the web. Odds are any profile of Wolverton detailing an accurate review of her job performance and reputation as a lush will make her look like an incompetent train wreck for the rest of her life. I care about my health as I'm sure she cares about her reputation. She should be grateful for the opportunity I am giving her to improve her performance and avoid what would otherwise be great devastation to her professional as well as personal reputation. Who knows? Maybe if she improves enough I'll leave her off the site entirely. In closing I am aware of complaint procedures in the BOP. I also know that my system is superior because it has consequences the administration of which does not depend on your system. Your system protects you and mine does not, but I still am more fair in administering it. Sincerely, Cyrus Sullivan, President, NoLimitList.com, webmaster@nolimilist.com*." The DHO considered the written statement provided by inmate SULLIVAN as further evidence he was threatening to slander the reporting officer and

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intended to harm her personally and professionally by publishing "rumors" on a website administered by him. The DHO considered the nature of the prohibited act. Inmate SULLIVAN has a serious history of assaultive behavior towards staff both at FCC Victorville and while in a community confinement reentry facility. A review of SULLIVAN's computerized disciplinary history revealed he was previously sanctioned for Code 224, Assault (Staff) once in April 2014 and twice in July 2015. The DHO also considered inmate SULLIVAN's prior criminal history of threatening communication involving his posting of false information about private citizens on his website. SULLIVAN refused to remove the false information unless he was paid to do so. Based upon this information, the DHO perceived inmate SULLIVAN's threat to post malicious information about the reporting officer on the website was credible and potentially harmful to the reporting officer's personal well-being and career.

The DHO relied upon inmate SULLIVAN's statement at the DHO hearing in which he admitted he threatened to post information (on his website) about the reporting officer's job performance and that by threatening her, he was giving her an opportunity to improve. SULLIVAN acknowledged in his statement at the final hearing and in his written statement, that he failed to utilize the Administrative Remedy process to address his concerns about the medical care he was receiving at this facility for a number of "chronic" issues. Based upon correctional experience, the DHO was not convinced any of the concerns identified by inmate SULLIVAN were critical or potentially fatal. Moreover, the DHO relied upon inmate SULLIVAN's statement he had the right to publish "true facts" about the reporting officer. However, inmate SULLIVAN admitted in his written statement he was relying on "rumors" concerning the reporting officer and clearly stated his intention to publish the "rumors".

The DHO found it important to note, while informing inmate SULLIVAN of the sanctions imposed, he made similar threats toward the DHO. Inmate SULLIVAN stated, "That's not going to make you look good on my website. Going on the 'priority subject' list." Additionally, as inmate SULLIVAN was being escorted out of the hearing he further stated, "Have a nice day, bitch!"

Based upon the greater weight of the evidence, the DHO was convinced inmate Cyrus SULLIVAN, Register Number 74918-065, was Interfering with Staff in the Performance of Duties, in violation of Code 298, *most like Threatening Person, Code 203*.

VI. SANCTION OR ACTION TAKEN

Offense Severity:	High	SGT Available:	Not eligible – PLRA
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20 days, Disallowed Good Conduct Time
4 months, Loss of Commissary privilege
4 months, MP3 Player restriction

VII. REASON FOR SANCTION OR ACTION TAKEN

Any action on the part of any inmate to interfere with staff by threatening to publicly slander their professional reputation by maliciously posting "rumors" seriously jeopardizes the security of the facility and the safety of others. The disallowance of good conduct time was imposed based on the severity of the offense, and the inmate's sentence commitment. Other sanctions were given to serve as a punishment for the inmate's inappropriate behavior, and to affect the inmate's future behavior.

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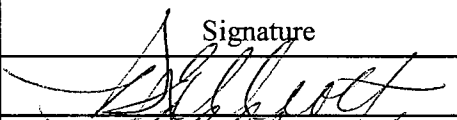
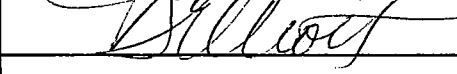
VIII. APPEAL RIGHTS: The inmate has been advised of the findings, specific evidence relied on, action and reasons for the action. The inmate has been advised of his right to appeal this action within 20 calendar days under the Administrative Remedy Procedure. A copy of this report has been given to the inmate.

Yes

X

No

IX. DISCIPLINE HEARING OFFICER

Printed Name	Signature	Date
D. Elliott, Disciplinary Hearing Officer		11-17-2015
Scanned and Emailed:		11-17-2015
Delivered to Inmate: (via institutional mail)	DATE: 11-17-2015	TIME: 6:59 AM

*Note: Delivery of this incident report was delayed due to the increased volume of hearings conducted during this period. As a result, the final report was not completed within 15 working days. This delay will not hinder the inmate's due process or right to appeal the DHO's decision. At the final hearing, the inmate was advised of his right to appeal by submitting a BP-10

Prescribed by P5270

Replaces BP-S304 (52) JAN 88

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the plea hearing as proof that I understood the elements. Those statements were viewed as harmless, just like in the plea agreement and say nothing of intending to make a "serious threat." Both show how sneaky Mr. Hoar is better than how well I understood the charge.

Page 8 also states out of context that Geoff Darling would be targeted, as if I meant physically targeted. I meant that he would be targeted for criticism and ridicule on the internet at <http://nolimitlist.com/rantrave/government/police> and made good on that threat with a posting titled something like "ODOJ Chief Investigator Geoff Darling is Incompetent".

Page 9 gets into an issue already discussed in my memo (DM, p. 25-36). When I answered "no" after Your Honor asked me if I wanted to dispute anything Mr. Hoar had just said. I maintain my position that declining to dispute a statement is not the same as truly understanding a statement and understanding must be verified to comply with Rule 11. I did answer "yes" to a later question regarding understanding because I thought I understood the elements as described in the Superseding Information, which had no specific intent element.

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to a jury wanting to convict me as a way to punish me for the websites. Information similar to statements in his declaration saying I would be facing "a guideline sentence of at least six years" for the 875(b) charge. That might initially make pleading to 875(c) look reasonable, but it really was not due to the ridiculousness of the 875(b) charge as documented in my memo (DM, p. 11-13). As a result of his misleading advice and overall attitude I pled guilty to a crime I did not commit rather than go to trial with an incompetent lawyer. I again ask that Your Honor vacate my conviction for the reasons described in my memo (DM, p. 15-36).

I noticed that the Government used *Padilla v. Kentucky* (559 U.S. 536) to cite the "high bar" that must be surmounted in order to find that a lawyer was constitutionally ineffective. When reading *Padilla* I also found grounds to declare a lawyer ineffective at the plea stage that has nothing to do with actual guilt or innocence. Those grounds were improper advice as to the consequences of pleading guilty. In *Padilla* his lawyer failed to advise him of the direct consequence that he would be deported if convicted. The deportation had nothing to do with guilt or innocence of the charge, but whether or not he would have pled guilty had he known that he would be deported as the result of a separate proceeding initiated after his conviction. Kind of like how Mr. Olson promised me that if I pled guilty I would have a competent lawyer (him) fighting for my rights

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to engage in free speech on the internet without the interference of a probation officer. Had I known that he would throw in the towel and side with the prosecution on that matter I would not have ~~plead~~ pleaded guilty. I would have asked for a new lawyer with a better attitude capable of seeing the facts accurately like I do to take the case to trial. Like Padilla, Mr. Olson knew that "[p]reserving [my] right to [use computers was] more important to [me] than any potential jail sentence" Padilla quoting Calcano-Martinez v. INS (533 U.S. 348). Like Padilla's counsel Mr. Olson provided "false assurance" that I would have competent counsel fighting for my rights at sentencing. Had Mr. Olson properly advised me of "the advantages and disadvantages of the plea agreement", Padilla quoting Libretti v. U.S. (516 U.S. 29), with the advantages being reduced exposure to prison time due to dismissal of more serious charges and the disadvantage of having no one to fight for rights that I care about more than my physical freedom rejecting the plea offer would "have been rational under the circumstances", Padilla quoting Roe v. Flores-Ortega (528 U.S. 420). Mr. Olson failed to advise me of his true intentions and in doing so persuaded me to plead guilty only to be left to the "mercies of incompetent counsel", Padilla quoting Richardson (397 U.S. at 771), at sentencing. I again ask that my conviction be vacated.

Response to: IV. Claim of Incompetency at Sentencing

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[REDACTED]

Enclosed is a copy of pages 14-19 of my reply to the Government's Response to my 2255, a recent case proving that my sites don't violate the cyberstalking law, and proof of my injuries. As I explained to you on Sunday 12/20 I am including them to get you caught up on the current state of affairs, to assure you that my websites are legal, and to prove I was injured.

As you can see the probation officer, prosecutor, and judge will have two choices if my halfway house is not increased or if it is increased and I still can't find work in my field. Those choices will be not to interfere with the operation of my business or to interfere and accept responsibility for any collateral consequences if they choose to re-incarcerate me. Those consequences will include the complete lack of ability to administratively remove content from the sites, users being directed to take their gripes to the government official most responsible for the problem, and other surprises that I don't want to talk about through the mail.

As the enclosed case shows my sites would fit the definition of conduct the prosecution of which would be abuse of the cyberstalking law. That is because you can't criminalize free speech just because the speech intentionally causes emotional distress.

Since my July beating you have been obligated to turn the sites back on per your promise should any harm befall me in here and now even though it has you have not honored your word with no real explanation. In the past you have cited the frivolous stalking charge, BOP rules against inmates running businesses, supervised release conditions, and your tastes. I DO NOT CARE what any of your excuses are. All I care about is getting my sites back up before I go home so that once home I won't have to violate my release conditions to get them back up.

Nothing mentioned in this letter or the enclosed material are ideas. An idea is defined as "a mental conception; a thought". These are policies. A policy is defined as "a method or course of action followed by a government, an individual, etc." Now that you know the difference between policies and ideas please do not refer to my policies as ideas anymore. Keep your promise and help me enforce my policies by turning the server back on, using my press release accounts to distribute announcements, and create support tickets whenever you notice that the sites are down. Those are all things that you know how to do.

Thank you for your cooperation.

[REDACTED]

WJ 12/21/15

P.S. Remember that the letter to [REDACTED]

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To: [REDACTED]
From: Cyrus Sullivan
Date: 1/4/2016²⁵
Subject: Breach of Contract Notification

Dear [REDACTED]

I am writing to formally inform you that you are in breach of contract and I am now within my rights to take legal action against you. To prove a breach of contract claim I must prove the four elements of formation, performance, breach, and damages (see Exhibit 1). I can prove each of those elements and oral contracts are valid.

1) Formation: In August of 2013 you entered into voluntarily and of your own free will, an oral contract with me in which you promised to turn my web server back on if anyone were to intentionally inflict bodily injury on me while incarcerated. In return I had previously promised you 50% of all advertising revenue and sales revenue from the No Limit List Corporate Advocacy Program ("NLLCAP") for all user generated content ("UGC") created during any period for which I was incarcerated as long as you do all in your power to keep the server running properly. To keep the server running properly all that was required of you was a one time payment of \$1,750 to EuroVPS to cover the re-start and services rendered as a result of your failure to transfer funds immediately following my arrest, plus a monthly transfer of about \$105 from my [REDACTED] account. The [REDACTED] account was to be fully funded by advertising revenue. In addition you may have been required to create technical support tickets in the events of service outages with the hosting company. Such outages were to be detected by visiting at least one website hosted on that server at least once a week to make sure that it was operating. Total time estimated for the job was one and certainly not more than two hours per month for which the 50% revenue share was a more than generous offer.

2) Performance: On July 29, 2015 I was beaten and tortured by correctional officers in the special housing unit (SHU) at USP Victorville. You were informed of the incident in August; stated that you believed my story in November, and received written proof of the incident in late December.

3) Breach: On 12/25/2015 following months of stonewalling on your part you attempted to convince me that your agreement was only to "think about it" when in fact it was not. When confronted about that lie you stated "I changed my mind" as your real reason. "I changed my mind" was never an option for you under our agreement for any reason. Whether you want to or not you have an obligation to fulfill.

4) Damages: My debt to EuroVPS remains at \$1,750. Due to uncertainty as to traffic due to an uncertain search engine ranking recovery timeline exact advertising and NLLCAP losses

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are unknown at this time. Losses can only be calculated once the server is back up and after the sites have been online for as much time as I remain locked up from the time in which you were first obligated to honor your part of the contract. It should also be noted that due to the high profile nature of the sites the viral marketing value of turning the sites back on from jail/prison may never be known, so I will have to use the value of turning them on once I get out to estimate how much advertising and NLLCAP revenue would most likely result from such a promotion.

I respectfully request that you honor your end of this contract by turning my web server back on immediately. Do that and I will agree not to sue for damages resulting from your breach of contract so far.

I know that this letter must come as a shock to you. Surely you must think that being a mother puts you above the law when it comes to contracts with your son, but fortunately the law does not consider family relation relevant to contract validity. I hope that this will be a learning experience for you and that you will not neglect future obligations just because you do not feel like fulfilling them.

Sincerely,

 1/4/18 ^{WAS}

Cyrus Sullivan

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not apply. Thus, even if Olson had made the single instance argument under USSG § 2A6.1(b)(6), I would have rejected it because I applied the two-level enhancement under subdivision (b)(2). See United States v. Anderson, 474 F. App'x 672, 673 (9th Cir. 2012) (defendant's request for decrease under "single threat" adjustment of USSG § 2A6.1(b)(6), was precluded by determination that there were multiple threats).

Finally, Defendant argues that Olson was ineffective in regard to his supervised release conditions requiring Defendant to obtain prior written approval from a United States Probation Officer before using or possessing a computer or accessing any on-line computer. He argues that Olson should have argued that the restrictions violated his First Amendment rights, were overbroad, and unjustified by the record. [REDACTED]

Olson addressed supervised release computer restrictions in his Sentencing Memorandum, advocating for Defendant's access to computers, the Internet, and Defendant's websites. ECF 51/Attach. 2 to Gov't Resp. at 20-21. At the sentencing hearing, Olson again discussed the conditions which were recommended in the PSR. ECF 64/Attach. 8 to Gov't Resp. at 40-41. In December 2014, the Ninth Circuit rejected Defendant's argument that these restrictions were unconstitutional, expressly noting that the use of a computer and the Internet were essential to the commission of the crime. United States v. Sullivan, No. 13-30207, 588 F. App'x 631 (9th Cir. 2014), cert. denied, 135 S. Ct. 1877 (2015). Accordingly, any failure by Olson in not expressly raising these issues at sentencing caused no prejudice.

III. Certificate of Appealability

The district court should grant an application for a certificate of appealability only if the petitioner makes a "substantial showing of the denial of a constitutional right." 28 U.S.C. §

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2253(c)(3). The Court concludes Defendant has failed to make a "substantial showing of the denial of a constitutional right" on all issues except for whether Olson was ineffective in advising Defendant to plead guilty to the Superseding Information which did not expressly recite the element of the crime regarding the intent to convey a threat. Thus, on this record the Court issues a certificate of appealability only as to the specified issue and declines to issue a certificate on any other issues.

CONCLUSION

Defendant's Motion to Vacate or Correct Sentence under 28 U.S.C. § 2255 [69] is denied.

IT IS SO ORDERED.

Dated this 6 day of January, 2016

Marco Hernandez

Marco A. Hernandez
United States District Judge

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OF

Error of Law: Failure to Consider Cronic Claim

When rejecting my arguments in Ground for Relief 3: Ineffective Counsel at Sentencing, under Inappropriate Release Conditions, The Court failed to address my claim under U.S. v. Cronic (466 U.S. 648) that Mr. Olson failed to "subject the prosecution's case to meaningful adversarial testing" at the sentencing hearing by stating "I don't want to take the position that Mr. Sullivan should just be able to do whatever he wants on the internet, on computers" (Sentencing Hearing Transcript, "SHT", p. 40).

The Court based its rejection of Ground for Relief 3 in part on Mr. Olson's brief advocacy against the conditions in his sentencing memorandum (00, p. 26) which did contain an overbreadth argument as well as the fact that my income would be "tremendously impacted". The Court however is silent on the fact that Mr. Olson torpedoed those arguments at the sentencing hearing. His performance was so bad that The Government tried to use it as grounds to dismiss my appeal for failing to preserve the objection. Bronson James credited my personal objection for preserving that argument both to me in person and to the Ninth Circuit in his brief (Appellate Brief, "AB", p. 9-10). In my reply to the Government's Response (Defendant's Final Reply to the Government's Response, "My Reply") I pointed out that the Government never offered any constructive counter

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argument against my Cronic claim (My Reply, p.14-16).and presented an exhibit explaining a correct application of Cronic (My Reply, Exhibit 2). If Mr. Olson's statement at the sentencing hearing does not qualify as IAC under Cronic then it would be difficult to say what would. Perhaps The Court would like to articulate for the record what part of "I don't want to take the position that Mr. Sullivan should just be able to do whatever he wants on the internet, with computers" is adversarial?

The other basis for The Court's rejection of Ground for Relief 3 when it comes to Inappropriate Release Conditions was that that the Ninth Circuit technically made them legal by erroneously declaring them constitutional and therefore failing to raise those issues caused no prejudice (00, p. 26). The problem with The Court's opinion is that in order to grant IAC relief under Cronic "no specific showing of prejudice is required" because when the adversarial process breaks down "prejudice is presumed".

As established on the record in this case and countless others assistance of counsel is a substantial constitutional right. For the COA to be expanded I "must make a substantial showing of the denial of a federal right", Barefoot v. Estelle (463 U.S. 880). The record in this case clearly establishes that judges of reason have been debating Cronic claims for over 30 years, so saying that jurists of reason could do the same thing is not far fetched. Any doubts

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about this should be resolved in my favor. Please expand the COA to include my IAC claim under Cronin that Mr. Olson failed to subject the prosecution's case to meaningful adversarial testing when it came to conditions of supervised release.

New Evidence: Involuntary Waiver

When reading The Court's opinion I discovered that I could potentially challenge the voluntariness of my waiver of appeal as an independent claim (00, p. 3) "he has not attacked the validity of his waiver". I did not package the involuntariness of the waiver as a claim independent of the involuntariness of the plea agreement as a whole. I did however attack the involuntariness of the plea in ways that can independently be applied to the waiver. Ways such as "I signed that waiver during the plea stage with the understanding that I would be represented by a reasonably competent lawyer to argue against any computer restrictions at sentencing" and "Had I known that Mr. Olson would completely abandon me at sentencing I would not have signed such a waiver or at least would have insisted on a waiver that did not apply to contested sentencing issues" (My Memo, p. 59). The Supreme Court recognized in *Hill v. Lockheart* (474 U. S. 52) that in the context of a plea agreement I need only show a "reasonable probability" that but for counsel's advise I would not have pled guilty. I ask that The Court apply the same standard to the involuntary waiver I entered

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late counsel's failure to raise...[meritorious] issue [...defining element of crime] and [appellate counsel's] decision instead to raise weaker issues that were unlikely to succeed fell below prevailing norms of professional conduct" in my case the failure being the failure to challenge sufficiency of the information and instead only challenging the legality of the unconstitutional release conditions. "Whether the [court] would have been persuaded is immaterial...[abandoning] a non-frivolous claim that was both 'obvious' and 'clearly stronger' is deficient", Shaw v. Wilson (721 F.3d 908) citing Jones v. Barnes (463 U.S. 745) and Smith v. Robbins (528 U.S. 259). See also McFarland v. Yacking (356 F.3d 688) "appellate counsel's failure to raise... argument [that 'would have likely prevailed'] was sufficiently unreasonable to violate McFarland's right to counsel", Joshua v. Dewitt (341 F.3d 430) "appellate counsel was ineffective in failing to raise...issue, although not litigated at trial level, could have been raised on appeal as plain error", and Claudio v. Scully (982 F.2d 798) "there was a 'reasonable probability' that [my] claim would have been successful". Please declare Mr. James ineffective on appeal and vacate my conviction.

My Chronic Claim

In my 59(e) motion (p. 8-10) I went into great detail about my Chronic claim. I have since realized that the claim may suffice under Strickland after all. In Dobbs v. Zant

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(506 U.S. 357) the Supreme Court held that as little as one comment amounting to a concession can render a lawyer's representation constitutionally deficient. See also Francis v. Spraggins (720 F.2d 1190) "counsel's complete concession ...nullifies his right to have the issue...presented...as an adversarial issue and therefore constitutes ineffective assistance." Finally, Horton v. Zant (941 F.2d 1149) in which prejudice under Strickland was established when "Horton's counsel's argument...encouraged rather than discouraged the" sentence and "attempts to distance [himself] from his client could only have hurt Horton's case."

My Second Ground for Relief

Ground for Relief 2 in my original 2255 (p. 25-36) stated that my plea was not knowing, voluntary, or intelligent due to ineffective assistance of counsel. As the court said (00, p. 8-14 and 19-20) Mr. Olson did prove that he used the phrases "specific intent" and "subjective intent" before I pled guilty, but he never explained their true meaning in his settlement letter. I find this puzzling because although none of the cases cited in the letter described what a "true threat" under 875(c) truly is, he did cite a case at sentencing that upon further review reveals a good explanation. Still at sentencing he never used the explanation from the case to support his arguments (Defendant's Sentencing Memorandum, "DSM", p. 14-16). That case was U.S. v. Cassel (408 F.3d 622) in which the Ninth Circuit defined a

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Involuntary Waiver

In my 59(e) motion (p. 10-12) I discussed the involuntary waiver of appellate rights. I have since found examples of plea agreements ^{pres} preserving appellate rights that Mr. Olson should have told me about and if he had I would not have permitted a waiver such as mine, see U.S. v. Corso (549 F.3d 921) "John D. Corso, III may take direct appeal from the sentence" and in the Ninth Circuit U.S. v. Spear (753 F.3d 964) which preserved the right to appeal conviction, so why not the sentence?

As for not being warned of the dangers of being represented by Mr. Olson at sentencing due to his overwhelming desire not to be seen as supporting my business at all and advocating against it. The Ninth Circuit in Cordova v. Baca (346 F.3d 924) treated a defective waiver as prejudicial per-se when it said "failing to provide an adequate warning as to the dangers...and that the record was inadequate to demonstrate that the individual was sufficiently informed of the dangers...to make an intelligent and knowing waiver. The state appellate court applied harmless error review and concluded that the outcome would have been no different if counsel had provided assistance...right...had not been effectively waived, a harmless error analysis could not apply"

all to Jimmy
hmm

Cumulative Error

With so many errors of all magnitudes that by themself-

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es justify vacating my conviction saying that the combination of errors justifies overturning it is a no brainer. In O'Neal v. McAninch (513 U.S. at 435-36) the Supreme Court said "cumulative error doctrine allows a petitioner to present a stand alone claim asserting the cumulative effect of errors at trial that so undermined the verdict as to constitute a denial of his constitutional right to due process". In the Ninth Circuit this applies when an outcome is rendered "fundamentally unfair", Parle v. Runels (505 F.3d 922). Please vacate my conviction due to cumulative error and consider that "when a federal habeas corpus court finds a constitutional error and is in grave doubt as to whether the error had a 'substantial' and injurious effect...' the error is not harmless and the petitioner must win", O'Neal.

Rule 59(e) and Rule 15 Relief

Suggested "procedure under which habeas corpus petitioner (1) pleads claims that she reasonably believes to be supported by as yet undiscovered facts that can only be discovered through investigative and discovery procedures that become available after a federal petition is filed, then (2) either amends in new facts or amends out claims in light of the post-filing investigation and discovery). New claims may become available because of retroactive changes in the law, newly surfaced legal or factual theories, or the expansion of state remedies. See Advisory Committee Notes to Rule 5 of the Rules Governing Section 2254 Cases in the United States

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The stated intention of the USPO when justifying the absolute ban violates my First Amendment right to engage in free speech on the internet. Mr. Preuitt stated that his office was concerned that I would engage in "antagonistic" speech that could provoke another stalker to harass or threaten me, and that "on an off day" I might send such a person a threatening email. To that I say that every person, including a convicted felon on supervised release, has the right to engage in whatever forms of "antagonistic" speech that he so desires as long as such speech falls within the protections of the First Amendment. No court has ever held that my websites are not protected by the First Amendment and This Court specifically stated that they are in fact legal.

Many courts agree that speech described by most as "offensive" or "antagonistic" is the type of speech most in need of protection and The Supreme Court is one such court. See *Reno v. American Civil Liberties Union*, 560 U.S. 746 (2010) in which they held that the internet "provides relatively unlimited, low cost capacity for communication of all kinds [including "offensive" and "antagonistic" kinds]...Through the use of chat rooms, any person with a phone line can become a town crier with a voice that resonates farther than it could from any soapbox. Through the use of Web pages, mail exploders, and newsgroups, the same individual can become a pamphleteer". In *Federal Election Commission v. Wisconsin Right to Life Inc.*, 551 U.S. 449 (2007) they said that "the First Amendment requires [courts] to err on the side of protecting***speech rather than suppressing it." In *Saxe v. State Coll. Area Sch. Dist.*, 240 F.3d 200 (3d. Cir 2001) the Third Circuit cited the Supreme Court's decision in *Brandenburg v. Ohio*, 395 U.S. 444 (1969) and *Cantwell v. Connecticut*, 310 U.S. 296 (1940) when holding that the First Amendment protects "a wide variety of speech that listeners may consider deeply offensive, including statements that impugn another's race or national origin or that denigrate religious beliefs". According to them I have the right to use web pages, mail exploders, and

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newsgroups to become a racist pamphleteer if I so choose. Any action by the USPO that prevents me from engaging in any speech in any forum including the internet for any reason violates my right to offend whoever I want to at any time and by any means within the limits of the First Amendment.

I also began writing a book about my experience while in prison and I have a right to use a computer to finish it. I also have a right to use the internet to market it to potential publishers.

Unjustified Employment Restrictions

Had I been represented by competent counsel at sentencing these conditions would have been challenged as employment restrictions because any "conditions that 'limit[] the terms on which the defendant' may engage in a specified occupation", United States v. Britt, 332 F.3d 1229 (9th Cir. 2003) such as mine with which my "ability to get a job and work in the field for which he was trained would be significantly impacted", United States v. Sunday, 447 Fed. Appx. 885 (10th Cir. 2012) are employment restrictions and subject to the requirements of U.S.S.G. 5F1.5 even though they do not name any specific occupation as prohibited. 5F1.5 states that to prohibit a "defendant from a business, or profession, or limiting the terms on which the defendant may do so" The Court must determine that:

1) a reasonable direct relationship existed between the defendant's occupation, business, or profession and the conduct relevant to the offense of conviction; and (2) imposition of such a restriction is reasonably necessary to protect the public because there is a reason to believe that, absent such restriction, the defendant will continue to engage in unlawful conduct similar to that for which he was convicted.

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The USPO does not claim that running my business by itself would result in more threatening emails. They only claim that I would be more likely to encounter "another Amanda Falke", so no evidence is even alleged that absent such a condition I would continue to send threatening emails. The allegation is merely that I may continue to send threatening emails if I encounter "another Amanda Falke". 5F1.5 does not permit employment restrictions based on a belief that the defendant will encounter people that piss him off.

Such restrictions are normally reserved for cases in which the defendant's occupation or business was essential to the offense. By that I mean that absent working in a specific field or running a particular business the defendant could not have committed the crime. It is not enough to simply say that the defendant committed the crime at work while working in a specific field or at a particular company. See *United States v. Wittig*, 528 F.3d 1280 (10th Cir. 2008) "The offense of conviction was based on Wittig's personal conduct, not his conduct as an executive... the mere fact Wittig engaged in such conduct while employed as an executive does not establish the necessary connection between the conduct and his managerial/executive positions" striking down a prohibition on having "any authority over any business" or "engag[ing] in financial transactions" that was imposed on the grounds that if employed in such a capacity Wittig "would be responsible for a multitude of financial documents" where he might be tempted to make false claims on additional financial documents. The Britt court reached a similar conclusion saying that Britt's history of making false identification cards as part of his drug business did not justify banning him from running a credit repair business to prevent him from engaging in further acts of fraud. Both courts held that employment restrictions can only be imposed "for the minimum time and to the minimum extent necessary to protect the public". If the USPO justifies keeping me from running my business as a means to prevent me from

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sending threatening emails then such justification cannot possibly justify prohibiting me from working in my field at all as the minimal employment restriction necessary.

In my case the only relationship between my "crime" and my occupation or business can best be described as a coincidence. I ran a website that angered someone to the point of stalking me in an attempt to coerce me into removing content that I had every right not to remove. I had been the subject of a lot of negative public criticism from all sorts of people including celebrities, politicians, and subjects of articles other people published through my services. At no point have I ever been accused of sending threatening emails to anyone else. It wasn't until someone harassed me, threatened me, and my family that I responded with what I felt was a smaller dose of her own medicine. No one, including The Government at the height of their smearing of me, has ever suggested that had we met some other way and she had done the same things that my response would have been different.

My attorney at the time, Per Olson, compared my restrictions to those that might be imposed on a stock broker convicted of insider trading that prohibit him from trading stocks while on supervised release. I don't believe that to be an appropriate comparison and his use of such an example leaves me puzzled as to why he did not raise a 5F1.5 challenge at sentencing, but such arguments are best left for my 2255 (E.C.F. 70 p. 36-62, E.C.F. 91 p. 10-20, E.C.F. 93 p. 8-10, E.C.F. 96 p. 14-15). A better example would be a stock broker that made a bad trade, lost someone's money, was then relentlessly stalked by a deranged client demanding a refund, and eventually snapped by sending that lunatic a threatening email. Such a case would not justify banning him from trading stocks while on release to avoid losing "another Amanda Falke's" money because he never made any illegal trades. Anger management and monitoring of his email would suffice.

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I was personally shocked when reading United States v. Butler, 694 F.3d 1177 (10th Cir. 2012) in which a prohibition on “hunting, fishing, and trapping wildlife” imposed after the defendants “encouraged their clients to violate state hunting laws” by poaching deer during guided tours they led professionally on the grounds that such conditions would “interfere with his occupation” managing “a commercial deer operation.” Personally, I thought that a convicted poacher working as a deer hunter would be just as tempted to engage in illegal hunts as the stock broker would be to make illegal trades. Both broke the law to increase profit but the same cannot be said of me. I have suffered more than I ever thought possible due to my email and would never consider sending another one a good decision for my business. If I ever let my personal issues interfere with my professional judgment again I will deserve what I get for it.

I want to wind down this section by emphasizing the importance of Activity Based Costing (“ABC”) when evaluating any business including mine. I learned about ABC in business school and it basically involves breaking down costs into activity pools when determining the health of the business. For instance a business that appears unprofitable may appear to some as one that should be shut down. Apply ABC and you may find that the costs making it unprofitable can be traced to activities that can be improved or eliminated, after which the business becomes profitable. Apply ABC to my business and it quickly becomes clear that it was profitable until there was a problem with the email activity. That activity can be further broken down to the threatening email activity and after that is easily removed it becomes profitable again. To say otherwise would have earned me an F on any exam, so I have no problem, as the only person involved in this matter with a business degree, giving The Government and This Court an F in cost analysis.

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That is not to say that I never made decisions that I knew would decrease my margin. I knowingly allowed users to edit or delete their work and that work included comments that allowed all sides to be heard. Other websites have been known to abstain from offering such functionality in order to increase reputation management/content removal sales, so I really don't feel like I deserve to be singled out just for requiring proof that a user has abused a service before I remove stuff or for offering to block content from search engines for a reasonable fee if someone for whatever reason cannot get it removed by some other means under the policy.

Finally, I have every right to be self employed as an author and use computers to aid myself in that effort even though I won't be able to finish the book until my fight with The Government is over with. It is difficult to gauge how good it will be when I don't know how it will end, but I can't think of any good reason why it cannot be almost finished before my legal cases are resolved.

18 U.S.C. 3553 and 3583 Non-Compliance

The law regarding 18 U.S.C. 3553 and 3583(d)(2) clearly establishes that conditions of release and the enforcement of such conditions must "involve 'no greater deprivation of liberty than is reasonably necessary for the purposes of supervised release' that is, to achieve deterrence, public protection, or offender rehabilitation." United States v. Sales, 476 F.3d 732 (9th Cir. 2007). The Ninth Circuit held that in my case and others like it the conditions as written comply with this section. As written they permit all forms of speech including online speech. They do not say that I cannot use a computer or that a probation officer cannot permit me to use a computer for any lawful activity, so they do not necessarily result in an unreasonable

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deprivation of liberty because a probation officer can make sure that they are only enforced to the minimal extent necessary to protect the public from future crimes.

Unfortunately, that is not how they are being enforced in this case. They are being enforced in a manner that the Ninth Circuit and other courts have consistently ruled to be greater than necessary to protect the public as I previously described (p. 1-2). For instance if I were a sex offender convicted of a more serious offense, such as child pornography, a probation officer refusing to grant me permission to use a computer to read news articles about children would constitute over broad enforcement under *United States v. Riley*, 576 F.3d 1046 (9th Cir. 2009). Likewise refusing to permit me to view pornography would also be too broad under *United States v. Stoterau*, 524 F.3d 988 (9th Cir. 2008). If such words as “pornography” are too broad to describe what types of computer use are allowed than surely the broader term of “computer” is overly broad enforcement that fails to satisfy the statute on a larger scale.

The conditions are not being enforced to the minimum extent necessary to protect the public from threatening emails. As of now I cannot use a computer at all because they say running my business might increase the likelihood that I encounter “another Amanda Falke”, and such an encounter might increase the likelihood of me sending a threatening email. None of that justifies restricting me from forms of lawful computer use that does not involve running my websites and it does not justify refusing to permit me to run the sites under a condition restricting email activity. I suggested monitored email use so that I would know that getting away with sending a treating email would be nearly impossible. Such a threat would constitute a new criminal conduct violation under U.S.S.G. 7B1.1 which carries a higher sentencing range than a technical violation, so I don’t see how making unauthorized computer use a technical violation

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deters threats any more than the more serious new criminal conduct remedies other than by giving the USPO an easier way to monitor me for new criminal conduct.

As it stands the USPO offers no explanation how limiting my ability to fight my legal cases, engage in benign internet use unrelated to my business, work in my field, or look for a job would satisfy any 3553 factors. They also fail to explain how allowing me to run my business would endanger the community because even if I did encounter "another Amanda Falke" they can't show I would be tempted to threaten her any more than a pedophile would be tempted to keep molesting little kids if he were allowed to read a news article about kids or view pornography.

Enforcement Would Not Serve the Public Interest

If I were to choose to exercise my right to run my business despite these conditions without permission from the USPO I do not believe that it would be in the public's best interest to incarcerate me for it. This may sound extreme, so before the government can accuse me of making threats of any sort I want to say that I am merely presenting The Court with an honest analysis of the situation that would most likely exist in such a scenario.

Whenever you have a system built for one purpose and try to use it for another because it might work there will almost always be problems. In this case the criminal justice system was built to fight crime and not speech by those convicted crimes, so if you start using it to fight lawful activities you may find it largely ineffective at doing so in some cases. This is such a case and if it were not using this system to shut me up would be easy.

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When the SilkRoad website was taken down all the FBI needed was the IP address of the server and the ability to use a mutual law enforcement assistance treaty to seize it. That worked because SilkRoad was a criminal enterprise illegal in this country and that one. That is not the case with my websites because like SilkRoad they are hosted abroad, but unlike SilkRoad they are not illegal in this country or that one. Usually to enforce such treaties the alleged crime must constitute an offense in both countries for one to help the other. In the event that any law enforcement agency in the United States were to approach the hosting company with a court order of any sort they would not honor it and their government would not be able to help, especially if the only allegation is that the owner of the site turned it on in violation of supervised release conditions. As a result if I were to be incarcerated for turning them on they would most likely stay up the entire time that I remain behind bars.

The last time I was incarcerated the sites only went down due to treachery and bad luck. I discussed the treachery in my 2255 (E.C.F. 70 p. 82-88) and that could easily be prevented by paying the hosting company enough money to cover their services for the entire time that I am incarcerated or by choosing a similar company that offers automated payment solutions. Either would permit the sites to stay up as long as usage remains within system limits and there are no critical hardware failures. The bad luck was due to my other server suffering a critical hard disk failure in which all data was lost and I was not free to provide backups. There really isn't anything that could have been done about that, but due to auto payments my syndication and data mining sites stayed up for many months following my arrest. During that time period the FBI received some complaints from people that it was impossible to remove syndicated content from those sites. This was because the feature for removing syndicated content required that the source website be live on the web and the source page to be missing. As a result of my

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server going down it was not possible to check source URLs for the 301 or 404 status necessary to trigger a removal.

This creates a scenario in which enforcing the violation of any condition of supervision in a way that incarcerates me for any significant time period would not be a good idea. I would be without me free to police the sites the public would be free to abuse them any way they want until my release. After my arrest Amanda Falke told Sean Hoar that her circumstances were so much worse that she didn't care whether I was in jail or not as long the sites stayed up. I would have been freed and able to honor my offer to remove content about her things would have been removed for her much faster. I have not had a chance to look at any user generated content removed since my arrest, but given the amount of media coverage I can only imagine what my friends were up to. While in prison I read an interesting Time magazine piece about how people do content management for Facebook see the worst in people a lot and I knew exactly how it felt. I've seen people do a lot of despicable things and nobody really gets to see or give me credit for what I've removed. If I were to spend 5-11 months in jail for a technical violation as the guidelines recommend I am certain the chaos that would take place in my absence, especially if the press covers my incarceration, would be far worse than any alleged emotional distress that would occur during normal operations.

I would never under any circumstance consider abuse of my services that take place in a circumstance beyond my control prevent me from being able to do anything about it myself. Many would agree with me and there would be serious hurdles for anyone trying to hold me legally liable for failing to remove content that The Court prevents me from being able to remove. I would blame The Court for choosing to incarcerate me despite being advised of the substantial risk. I know many people including The Court would blame me, but to that I would say

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main server going down it was not possible to check source URLs for the 301 or 404 status codes necessary to trigger a removal.

This creates a scenario in which enforcing the violation of any condition of supervision in such a way that incarcerates me for any significant time period would not be a good idea because without me free to police the sites the public would be free to abuse them any way they wish until my release. After my arrest Amanda Falke told Sean Hoar that her circumstances were so much worse that she didn't care whether I was in jail or not as long the sites stayed up. Had I been freed and able to honor my offer to remove content about her things would have improved for her much faster. I have not had a chance to look at any user generated content created since my arrest, but given the amount of media coverage I can only imagine what my users were up to. While in prison I read an interesting Time magazine piece about how people that do content management for Facebook see the worst in people a lot and I knew exactly how they felt. I've seen people do a lot of despicable things and nobody really gets to see or give me credit for what I've removed. If I were to spend 5-11 months in jail for a technical violation as the guidelines recommend I am certain the chaos that would take place in my absence, especially if the press covers my incarceration, would be far worse than any alleged emotional distress that would occur during normal operations.

I would never under any circumstance consider abuse of my services that take place while circumstance beyond my control prevent me from being able to do anything about it my fault. Many would agree with me and there would be serious hurdles for anyone trying to hold me legally liable for failing to remove content that The Court prevents me from being to able to remove. I would blame The Court for choosing to incarcerate me despite being advised of the potential risk. I know many people including The Court would blame me, but to that I would say

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that I am just a peaceful non-violent protester openly resisting an overbearing government with the hope that someday it chooses to honor the Constitution. I would use any opportunity that may arise to raise awareness for my cause to voice my opinion as much as possible that when any government fails to honor its own constitution it waives any legitimate claim of right to govern at all and that when faced with such tyranny every citizen has a civic duty not to follow any order issued by such an illegitimate government. If The Government accuses my actions of being a security issue for society in any way I will defend myself by saying that "any society that would give up a little liberty to gain a little security will deserve neither and lose both", Benjamin Franklin.

At this point I would like to express my gratitude to Apple Inc. for fighting the good fight by choosing to protect the rights of their users from the prying eyes of the FBI when they chose not to build a backdoor into the iPhone despite a court order to do so. I've been glad that the data of my users was protected when I caught my case due to my decision to use an offshore host because otherwise I'm sure the FBI would have used it as an excuse to seize all their information. It is unfortunate that the FBI claims to have found another way in because I would have liked to have seen if the FBI has the audacity to arrest Tim Cook or any of his employees for refusing to help them. Sure, they had a court order, but would arresting people that are not criminals just for technically breaking the law for the greater good have helped society, made the FBI look good, or done anything other than cause greater problems? I don't think so and I don't think persecuting me for technical violations that fall within the scope of the First Amendment would either. Often fights for liberties such as these fall on the shoulders of reluctant people that do not live a criminal lifestyle and would rather be doing other things. I consider myself one of those people because before my incarceration other than being an occasional loose cannon that smoked marijuana there was nothing criminal about me and I

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would rather be doing many other things than fighting for my rights right now. Unfortunately, I find this fight forced on me and I would have no problem choosing to do what I think would be best for my career and my users even if there is a court order in place saying that I cannot.

I am not afraid of anything This Court can do to me. There was a time when the idea of going to prison scared me and then once at FCI Sheridan the idea of going to a USP scared me. Now that I've been to one of the worst places that the BOP could have sent me I am not the least bit frightened by the thought of going back for 24 months instead of living under this yolk for 35 (E.C.F. 91 p. 16-20, Exhibit 3). In fact I've felt less safe walking down some streets since my release than I did walking the prison yard at USP Victorville. Still there are many things I would rather do than go back.

As much as I would like to turn my sites on today This Court has me in a bit of a bind at the moment. I need to remain free long enough to prosecute my appeal and file a lawsuit against BOP. I discussed how impeding prison conditions are when fighting a case (E.C.F. 98 p. 2-5) and the basis for the lawsuit (E.C.F. 91 Exhibit 4) in my 2255. I am hoping to get this conviction vacated so that I wont need to choose between prison and tolerating the intolerable. I learned the hard way that it is almost impossible to get any lawyer to take a case while an inmate because most law firms do not answer your letters, their phones have prompts that cant accept calls, and most wont take cases on a commission basis from inmates due to the overall poor credibility of inmates in general. Since my release I've spoken to a lawyer that wants to see the surveillance tape, but the internal affairs officer that has it wouldn't give it to me and other people at Victorville seem to have employed every excuse in the book to justify not letting me see it, so I am awaiting a response to a FOIA that I sent to their general counsel. Who knows, maybe they will settle for enough that I can fund a 35 month vacation during which I probably

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wouldn't feel like running my business with or without these conditions, but torts take awhile, so does writing a book, and in the meantime I need an income.

Relief Requested

I ask that due to the USPO abusing conditions 7 and 8 to the point of constructively creating unlawful release conditions that This Court eliminate them entirely. Obviously the USPO cannot be trusted to enforce them to the minimal extent necessary to satisfy the purposes of supervised release.

Alternatively I request that if This Court will not strike them down entirely that they be modified to permit monitored access by inserting the word "unmonitored" before the word "computer(s)" in condition 7 and "any online" in condition 8. The resulting conditions would read as follows:

7. The defendant is prohibited from using or possessing any unmonitored computer(s) and/or directing third parties to do so on his behalf (including any handheld computing device, any electronic device capable of connecting to any online service, or any data storage media) without the prior written approval of the U.S. Probation Officer. This includes, but is not limited to, computers at public libraries, Internet cafes, or the defendant's place of employment or education.

8. The defendant is prohibited from accessing any unmonitored online computer service and/or directing third parties to do so on his behalf at any location (including employment or education) without the prior written approval of the U.S. Probation Officer.

As part of this I ask that The Court order the USPO to facilitate monitored access to two desktop computers at my home, a smartphone, and any other devices or services in a timely

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manner upon request unless they can show cause that I intend to use them for a criminal purpose.

If neither of those work I ask that I at least be able to seek work in my field, use a computer at home for recreational use, and to develop examples of my work for potential employers. This Court said on 11/3/2014 that I should be able to work in the computer industry, but doing so is extremely difficult without examples to show people. This seriously interferes with the exit strategy I had when launching my business which was to develop marketable skills to improve my employability should the business fail. The Village Voice praised one of my sites for its "workmanlike design", Anderson Cooper said that it was so professionally designed that he felt like he was browsing a government registry, and I've found traditional work as a result of my websites. Now I can't show anyone these things to get an edge, but with permission I could build new sites using a lot of the same code as demonstrations. That wouldn't put me at risk of encountering "another Amanda Falke".

I will at a minimum need a computer at home to look for work. Scheduling appointments to use the one at the probation offices is not sufficient and neither is Mr. Preuitt's idea that I could "go door belling".

Conclusion

The only way to protect my right to free speech in the least restrictive way possible while protecting the public is to strike down or modify my conditions of release. As someone that doesn't live a criminal lifestyle computers are all that stand in the way between prison and being

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one of the easiest people in town to supervise. I request that The Court schedule a hearing to address this matter as soon as possible.

Respectfully Submitted,

Cyrus Sullivan
Defendant
Pro Se

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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

UNITED STATES OF AMERICA

3:13-CR-0064-HZ

v.

GOVERNMENT'S MOTION TO
MODIFY CONDITIONS OF
SUPERVISED RELEASE

CYRUS ANDREW SULLIVAN,

Defendant.

The United States of America, by and through Billy J. Williams, United States Attorney, and Johnathan S. Haub, Assistant United States Attorney, moves to amend special conditions of supervised release number 7, 8 and 10 as well as to add a special condition number 12 to require the probation officer's prior approval of employment. This motion is filed in connection with the government's memorandum response to Defendant's Motion to Modify Conditions of Release (ECF No. 108).

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I. DISCUSSION

Special condition number 7 presently provides as follows:

The defendant is prohibited from using or possessing any computer(s) and/or directing third parties to do so on his behalf (including any handheld computing device, any electronic device capable of connecting to any on-line service, or any data storage media) without the prior written approval of the U. S. Probation Officer. This includes, but is not limited to, computers at public libraries, Internet cafes, or the defendant's place of employment or education.

Special condition number 8 presently provides as follows:

The defendant is prohibited from accessing any on-line computer service and/or directing third parties to do so on his behalf at any location (including employment or education) without the prior approval of the U. S. Probation Officer.

The government seeks to amend the above conditions as follows:

Special Condition 7:

The defendant shall participate in the U. S. Probation Office's computer monitoring program, which may include installation of software or hardware on the defendant's computer that allows random or periodic monitoring of defendant's computer use, periodic inspection of defendant's computer (including retrieval, copying, and review of its electronic contents) to determine defendant's compliance with the monitoring program and conditions of supervision.

Defendant's computer use and his participation in this monitoring program extends to those computers, software programs, smartphones, cellular phones, tablets and related devices capable of connecting to any on-line service, or data storage media allowing access to electronic services and the Internet. (previous language to be removed)

Special Condition 8:

Defendant shall not own or operate, directly or indirectly, any former website, including "STDCarriers.com," "nolimitlist.com," or any similar website that offers reputation management services or otherwise involves the removal of names, titles, identities, phone numbers, email addresses, or any other personal information from such websites or other publications, whether or not payment of money is required, without the prior written approval of the U.S. Probation Officer. (previous language to be removed)

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The government also moves to amend Special Condition 10 to read:

The defendant shall have no contact with A. K. (the victim identified in the pre-sentence report), by email, text, or any other electronic means, in person, by telephone, through correspondence or a third party unless approved in advance by the probation officer.

The government also moves to add Special Condition 10 to read: "The defendant's employment shall be subject to approval by the probation officer. "

The above suggested modifications and the proposed addition of special condition number 12 have been provided to defendant through his counsel Ruben Iniguez, who advised that the defendant would consent to an order amending special conditions 7 and 10, but not 8 and 12.

II. REQUESTED RELIEF

For the reasons stated in a separately filed memorandum of law, the government's motion to amend special conditions of supervised release 7, 8 and 10 should be granted. The Court should also add a special condition (number 12) requiring that the defendant seek approval for employment from his probation officer.

Dated this 22nd day of July 2016.

Respectfully submitted,

BILLY J. WILLIAMS
United States Attorney

/s/ Johnathan S. Haub
JOHNATHAN S. HAUB, OSB #761653
Assistant United States Attorney

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- (1) the nature and circumstances of the offense and the history and characteristics of the defendant;
- (2) the need for the sentence imposed—
 - (A) to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;
 - (B) to afford adequate deterrence to criminal conduct;
 - (C) to protect the public from further crimes of the defendant; and
 - (D) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner;

The government acknowledges that a total ban on computer/internet use is unwarranted and not likely to withstand judicial scrutiny under current Ninth Circuit precedent. *See United States v. LaCoste*, 811 F.3d 1187 (9th Cir. May 12, 2016) (former Chief Judge Aiken plainly erred in imposing total ban on internet use without the Probation Officer's approval despite fact that defendant used internet to post disparaging comments about victims). In light of this rule, the Government seeks to narrowly tailor the restrictions on internet use and computer use to “produc[e] no greater deprivation of liberty than is reasonably necessary.” *United States v. Sales*, 476 F.3d 732, 737 (9th Cir. 2007).

The government has filed a motion to amend the special conditions of supervised release in this case as follows:

Special Condition 7 to be amended to read:

The defendant shall participate in the U. S. Probation Office's computer monitoring program, which may include installation of software or hardware on the defendant's computer that allows random or periodic monitoring of defendant's computer use, periodic inspection of defendant's computer (including retrieval, copying, and review of its electronic contents) to determine defendant's compliance with the monitoring program and conditions of supervision.

Defendant's computer use and his participation in this monitoring program extends to those computers, software programs, smartphones, cellular phones, tablets and related devices capable of connecting to any on-line service, or data storage media allowing access to electronic services and the Internet. (previous language to be removed)

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Special Condition 8 to be amended to read:

Defendant shall not own or operate, directly or indirectly, any former website, including "STDCarriers.com," "nolimitlist.com," or any similar website that offers reputation management services or otherwise involves the removal of names, titles, identities, phone numbers, email addresses, or any other personal information from such websites or other publications, whether or not payment of money is required, without the prior written approval of the Probation Officer. (previous language to be removed)

Special Condition 10 to be amended to read:

The defendant shall have no contact with A. K. (the victim identified in the pre-sentence report), by email, text, or any other electronic means, in person, by telephone, through correspondence or a third party unless approved in advance by the Probation Officer.

Special Condition 12 to be added to read:

The defendant's employment shall be subject to approval by the Probation Officer. The above suggested modifications and addition have been provided to defendant through his counsel Ruben Iniguez who advised the government that the defendant would consent to amended conditions 7 and 10, but not 8 and 12.

Defendant's objection to the terms of special condition 8 as previously written at the time of his sentencing, has been raised before, and rejected in *United States v. Sullivan*, No. 13-30207, 588 F. App'x 631 (9th Cir. 2014), *cert. denied*, 135 S. Ct. 1877 (2015), which noted that the use of a computer and the Internet were essential to the commission of defendant's crime. The terms of amended special condition 8 are less restrictive and more favorable to defendant's quest for internet and computer use. As counselled by USSG § 5F1.5, the originally imposed standard and special conditions were subject to the provisions of that Guideline which the Court imposed as reasonably necessary to protect the public, and prevent repetitive illegal conduct but not to punish the defendant. Should defendant's probation officer unreasonably restrict the terms of special condition 8, such a denial of access can be swiftly brought before the Court. Here, defendant's probation officer is prepared to permit internet and computer use under conditions designed to allow defendant to seek employment, pursue his literary endeavors, engage in legal

- (1) the nature and circumstances of the offense and the history and characteristics of the defendant;
- (2) the need for the sentence imposed—
 - (A) to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;
 - (B) to afford adequate deterrence to criminal conduct;
 - (C) to protect the public from further crimes of the defendant; and
 - (D) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner;

The government acknowledges that a total ban on computer/internet use is unwarranted and not likely to withstand judicial scrutiny under current Ninth Circuit precedent. *See United States v. LaCoste*, 811 F.3d 1187 (9th Cir. May 12, 2016) (former Chief Judge Aiken plainly erred in imposing total ban on internet use without the Probation Officer's approval despite fact that defendant used internet to post disparaging comments about victims). In light of this rule, the Government seeks to narrowly tailor the restrictions on internet use and computer use to “produc[e] no greater deprivation of liberty than is reasonably necessary.” *United States v. Sales*, 476 F.3d 732, 737 (9th Cir. 2007).

The government has filed a motion to amend the special conditions of supervised release in this case as follows:

Special Condition 7 to be amended to read:

The defendant shall participate in the U. S. Probation Office's computer monitoring program, which may include installation of software or hardware on the defendant's computer that allows random or periodic monitoring of defendant's computer use, periodic inspection of defendant's computer (including retrieval, copying, and review of its electronic contents) to determine defendant's compliance with the monitoring program and conditions of supervision.

Defendant's computer use and his participation in this monitoring program extends to those computers, software programs, smartphones, cellular phones, tablets and related devices capable of connecting to any on-line service, or data storage media allowing access to electronic services and the Internet. (previous language to be removed)